

Application Number	15/01671/AS	
Location	Former Powergen Site, Victoria Road, Ashford	
Grid Reference	00488/42404	
Ward	Victoria	
Application Description	Hybrid application for five plots comprising: (1) Full and detailed application for plots 1 and 2 comprising: erection of 400 dwellings, a retail kiosk/cafe unit (Use class A1/A3) and associated parking, public surface car park, plant and storage; together with landscaping and access works. (2) Outline application with appearance and landscaping reserved for plots 3, 4 and 5 comprising: demolition of existing buildings/structures and erection of 260 dwellings, associated parking, plant and storage together with landscaping and access works.	
Applicant	Development Securities (Ashford) Limited c/o Agent	
Agent	Mr Matthew Pochin-Hawkes Nathaniel Lichfield & Partners 14 Regent's Wharf All Saints Street London N1 9RL	
Site Area	3.87ha	
(a) 402/14R	(b) -	(c) KH&T X, KCC Arch X, KCC PROW X, KCC Drainage X, EA R, NE -, SE R, SW X SACF R, VRBRAG R, NR X, ABC Housing R, ABC (PO) Drainage X, ABC EHM X, Stagecoach X, KWT R, ACF R

Introduction & Summary

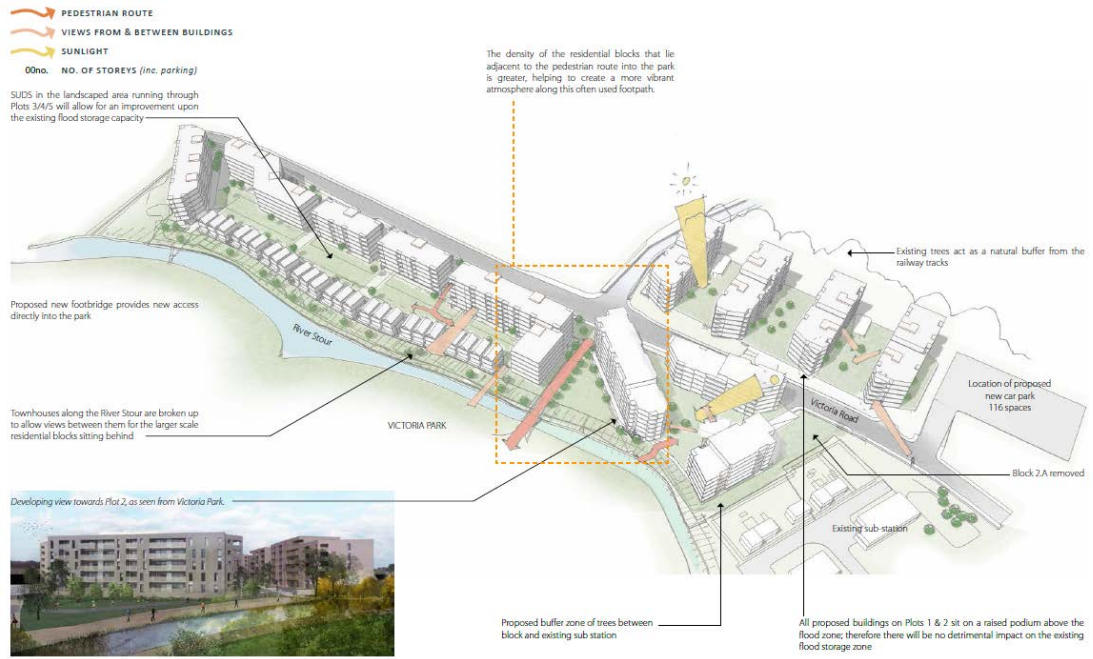
1. This application is reported to the Planning Committee as it involves the construction of more than 10 dwellings and is therefore classified as a “major” development that requires determination by the Planning Committee under the Council’s scheme of delegation. It is also considered to be sensitive due to the potential regeneration importance of the scheme for the Town Centre.
2. The site is located in an area containing a mixture of land uses and vacant plots characterised in particular by residential, commercial and light industrial uses. It is located to either side of the newer part of Victoria Road, to the North of Victoria Park and south of the HS1/London to Folkestone railway lines. To the east is a major footpath link to the Town Centre and Victoria Road Primary School. It is irregularly shaped and 3.87 ha in extent.
3. Currently, the site comprises mainly scrubland, with two vacant barn-type buildings in severe disrepair. There are large areas of concrete hardstanding left over from previous commercial uses. The southern boundary is the River Great Stour with its vegetated banks.
4. The site was previously the subject of two separate applications by Sidell Gibson Architects on behalf of ZED Homes for new mixed-use developments. Outline planning permission was granted in July 2008 after an appeal process for the whole site; a smaller proposal for the southern part was later withdrawn in 2011. The development that was allowed on appeal was significantly larger than is now proposed, in both quantum and scale, and was argued by the Council at the time as being out-of-scale and obtrusive, which would have failed to respect the character and appearance of Ashford. Nevertheless, as the scheme was allowed on appeal, the Council had no option but to reflect the terms of the scheme in its subsequent policy document – the Ashford Town Centre Area Action Plan (ATCAAP).
5. The planning process in respect of the current application has included presentation to the independent Ashford Design Panel. This has helped to formulate and refine the development brief and provide good guidance on the approach to be taken. It is of significantly smaller scale than was allowed on appeal and as referred to in the ATCAAP policy and is primarily residential with a small commercial element.
6. Through consultation with Officers, the applicants have made efforts to ensure that their proposal takes into account any potential future developments on wider neighbouring sites. The proposals have given careful consideration to the National Technical Standards in respect of space standards, Ashford’s Core Strategy and other Development Plan policies. Other guidance has been sought from various Ashford supplementary design documents and guides and CABI’s urban design guidance.

7. In summary the proposal is for the construction of 660 dwellings, mainly apartments but with 25 houses adjacent to the river. On Plot 1, 257 flats are proposed in four separate buildings, each 8 storeys in height. These are linear in form at right angles to the road, with private amenity space in between the blocks at podium level, with car parking underneath. A similar arrangement of parking and open space is proposed on Plot 2, with three separate buildings in a roughly triangular shape, providing 143 flats in blocks between 6 and 7 storeys in height. On Plots 3, 4 and 5, apartment blocks are proposed along the road frontage, in 4 separate buildings, with a further block parallel to the western boundary. The height ranges between 5 and 7 storeys, providing a total of 235 flats. 25 four storey town houses are proposed along the river frontage. The development would result in an average density of 181 dwellings per hectare.
8. The proposed accommodation is broken down in the table below.

Plot No.	Studio Apartments	1 Bedroom Apartments	2 Bedrooms Apartments	3 Bedrooms Apartments	3 Bedroom House	Parking Spaces
1	17	130	110	0	0	235
2	16	41	84	2	0	106
3	0	39	66	20	0	260
4	0	0	0	0	25	
5	0	25	60	25	0	
Total	33	235	320	47	25	601

9. Parking provision across Plots 1 & 2 equates to **0.85 spaces per dwelling**, and in respect of the Outline elements on Plots 3, 4 & 5 the private parking equates to **1.2 spaces per dwelling**. Overall the proposal would provide 0.91 spaces per dwelling.
10. If the ability for residents to access/use the public car park and spaces serving the kiosk are included, the overall provision equates to 721 parking spaces or more than one space per dwelling.
11. The scale and form of the development are demonstrated in the images below, together with appearance for Plots 1 and 2:

Ashford Borough Council - Report of Head of Development, Strategic Sites and Design Planning Committee 15 June 2016





12. The applicant notes that the proposals would need to provide for off-site highways improvements at the Victoria Way/Beaver Road/ Beaver Bridge junction and the Elwick Road/Station Road Junction. The applicant proposes that the development be subject to securing the implementation of these works by others.
13. The proposals include 0.75 ha of private resident open space along with 0.2869ha of public space/. Public art is also proposed within the development., the images of which are shown below:

14. In terms of S106 contributions, a viability report was submitted with the application, which was assessed by the Council's independent Viability Consultant. This established that the scheme could not meet the costs that would normally be required by Policy for S106 contributions. As a result, the following S106 contributions are recommended:
- £275,000 towards KCC education provision
 - £270,000 toward public realm/open space improvements in Victoria Park to offset and mitigate the additional impact on this resource from the new residents
 - £5,000 towards parking controls/measures in neighbouring residential streets.
15. A site plan is attached as **Appendix 1**.

Site and Surroundings

16. The application site comprises approximately 3.63 hectares of predominantly cleared brownfield land in three distinct land parcels.
17. It lies to the south of and near to the centre of Ashford Town . It is located to the south of the CTRL/domestic railway line and immediately to the west of the pedestrian bridge across the railways which link this area to Elwick Rd and thence to the Town Centre proper. It is split north to south by Gasworks Lane which is outside the site area. The southern boundary is formed by the

Great Stour River and Victoria Park, which includes within its confines the listed Grade II Hubert Fountain. Leacon Road, (which becomes Victoria Road at the Gasworks Lane junction), runs west to east and divides Plot 1 to the north, from Plots 2 and 3 to the south.

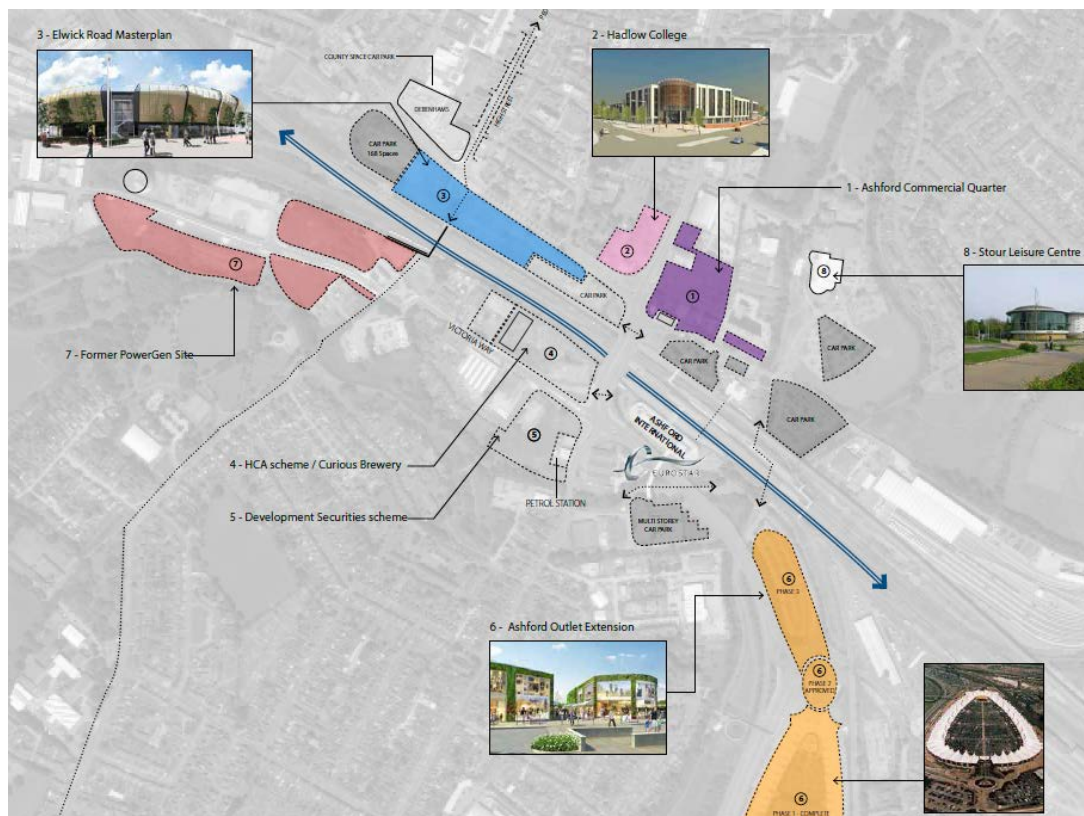


Figure 1 - Context site plan

18. The northern most parcel, known as Plot 1, is bounded to the north by a vegetated strip of land with the railway line beyond and to the south by Leacon Road. To the east of the plot boundary is a track used to access a large electricity substation situated there. To the west of the plot is a large open space on which stood a former gas works, which has recently been demolished.
19. The second parcel, known as Plot 2, is located directly south of Plot 1 with Leacon Road bounding the plot to the north and Victoria Park and the Great Stour River to the south. The plot is bound to the west by the third parcel of the site, known as Plots 3-5, and a pedestrian footpath/bridge providing access to Victoria Park. The eastern boundary of the plot comprises a second large electricity substation.
20. Parcel 3 comprises the proposed Plots 3, 4 and 5 and is located to the west of Plot 2 and bounded to the north by Leacon Road. The parcel of land is bounded to the west by an industrial estate and to the south by the Great Stour River and Victoria Park.

21. The site is overgrown scrubland, with two dilapidated buildings on plots 3, 4 and 5. It slopes gently from north to south towards the river, where there is a line of trees bordering the river. The site can be viewed from Victoria Park across the river, and once developed, from wider views in Elwick Road, and the Beaver Road/Victoria Road junction.
22. Victoria Road was widened and improved some five years ago as a key piece of strategic transport infrastructure in the town centre. The aim was to create a new link from Beaver Road in the east, to Brookfield Road in the west by creating a connection from Victoria Road to Leacon Road. It was designed to reduce traffic using the town centre and provide a basis for extending the town centre south of the railway. Phase 1, from Beaver Road to Leacon Road has been constructed, and it is a high quality urban boulevard, with footpaths, cycleways and trees lining the street.
23. Development to the west comprises B1 (light industrial) uses, situated along Leacon Road in a linear fashion. To the east of the site is John Wallis Square, situated on the Learning Link. This was constructed at the same time as the Victoria Road improvements were carried out. To the east of the Square is the Victoria Road Primary School, and further west, to the south of Victoria Road, are some remaining light industrial businesses that pre-date the improvements to Victoria Road.

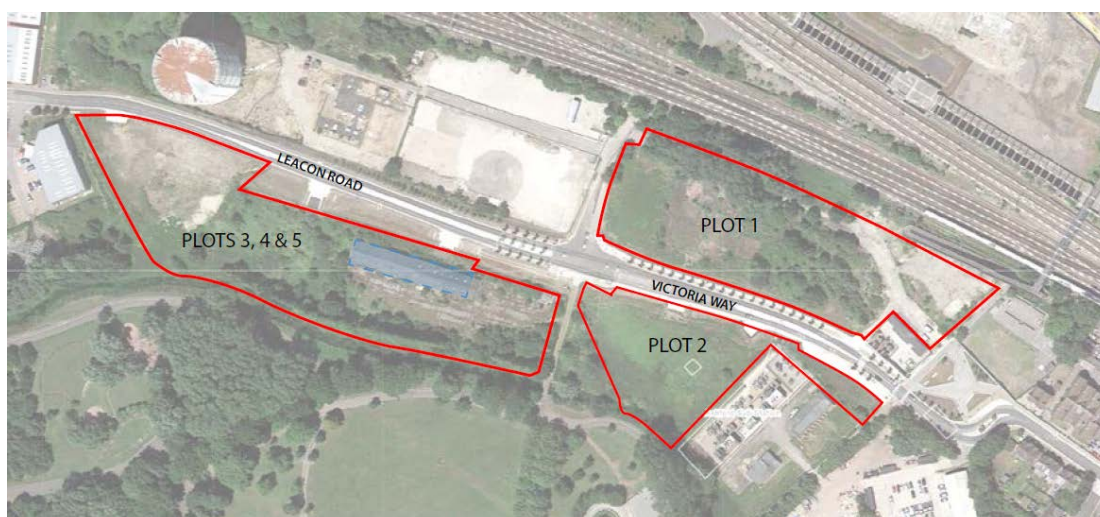


Figure 2 - Application Boundaries

Proposal

24. The application comprises a 'hybrid' planning application. The applicant is seeking full planning permission for the erection of 400 apartments, a retail kiosk/cafe unit (Use class A1/A3) and associated parking, public surface car park, plant and storage, together with landscaping and access works and outline permission with Appearance and Landscaping reserved for a further

260 units and their parking and landscaping. The exact nature of each element is described below in full.

25. The scheme comprises development across the three parcels of land, which are subdivided into five plots as described above. .:



Figure 3 Plot Plan

26. It is proposed to demolish the existing vacant single storey buildings/structures to the south of Leacon Road (within Plots 3-4)
27. Planning Permission is sought for a total of 660 new residential units, comprising 635 flats of mixed sizes and 25 elevated town houses. The proposals also include a retail kiosk, Green Infrastructure and Public Open Space including public art, a new bridge over the River Stour and a 116 space surface car park.
28. **Full planning elements proposed for Plots 1 and 2:**
- a) 400 residential dwellings spread across 7no. blocks ranging in height from 6-8 storeys (including podium level) up to a height of 25m
 - b) A 61sq.m pop up retail kiosk/café unit (Use Class A1/A3)
 - c) Enclosed residents car parking providing 341 spaces (increased from 303 originally)
 - d) Surface level public car parking providing 116 spaces
 - e) Vehicular and pedestrian accesses, including a connection to the existing pedestrian footbridge to the town centre
 - f) Landscaping

29. The residential element is intended to comprise Private Rented Sector (PRS) housing with the following mix:
- 33 x studio apartments
 - 171 x 1 bed units
 - 191 x 2 bed units
 - 5 x 3 bed units
30. The residential units are proposed above a podium /sub-pavement level parking area. All units would have access to the ground floor level parking, with an overall parking ratio of **0.85 allocated parking spaces per unit** (improved through from 0.76 on original submission). A landscaped podium providing open space for residents (described more fully below) is also proposed between the flat blocks.
31. To the east of Plot 1, a 116 space surface level car park, is proposed for public use, including visitors. This would be constructed to be available prior to the occupation of the first residential units.
32. The proposals are designed to enable views between Victoria Road and green spaces along the river corridor. Along the riverside 4 storeys are proposed (including undercroft private parking). The units are spaced to help maintain views of St Mary's Church from the park.

Outline Planning Permission (Plots 3, 4 and 5)

33. The Outline planning elements proposed (Plots 3, 4 & 5) comprises:
- a) Up to 260 residential dwellings – including 235 residential flats and 25 houses ranging from 4 to 7 storeys (including podium level).
 - b) Private residents car parking providing 260 spaces
 - c) Vehicular and pedestrian access, including a bridge link across the Great Stour river
 - d) Landscaping, including swales, between blocks
34. The residential element comprises market housing with the following mix:
- 64 x 1 bed units
 - 126 x 2 bed units
 - 70 x 3 bed units (including 25 houses)

35. The residential units are proposed above the ground level parking. They would have access to the ground floor level parking with an overall parking ratio for plots 3 to 5 of **1.2 allocated parking spaces per unit**.
36. The landscaping incorporates swales through Plots 3-5 and a landscape buffer along the northern bank of the Great Stour River.
37. In order to provide improved access to the open space and recreational facilities of Victoria Park and create more movement and activity through the site, an additional high quality pedestrian/cycle bridge over the river is proposed at the western end of the development. This would provide direct access to the park for the residents of this site and the former Gasworks site to the north.
38. In addition, the proposals include a pedestrian / cycleway along the northern bank of the river to improve connectivity through the site and link both east and west and seek to enhance the ecological corridor along the riverside.

Landscape and Public Realm Design Principles (all Plots)

- The reinforcement of the Victoria Road Green Boulevard and public realm character through further tree planting and using the existing palette of hard materials for new highway works;
- The improvement of the legibility of north south links between Victoria Park, the site, and Ashford Town Centre through planting, public realm, and signage improvements to existing pedestrian routes and key nodes;
- The provision of improved north south links through the creation of a new route to the west of plot 3 and bridged river crossing;
- The provision of greater riverside access and amenity functions. This would include a new gateway landscaped area and riverside walk with seating/viewing locations;
- The maximisation of ecology and biodiversity potential of the river corridor and the extension of this into and through the site as green fingers or linked habitat areas;
- The use of the site's flood attenuation constraint as an opportunity to utilise existing site water courses to create significant wetland habitat within the site (predominantly Plots 3-5), and link this to the river corridor;
- The maximisation of the attractive views to Victoria Park, minimising unsightly aspects through built form or buffer planting;
- The creation of attractive podium garden spaces (Plots 1 & 2) with social meeting places and food growing opportunities;

- The creation and clarity of public / private areas through boundary features and hard & soft material palettes;
 - The provision of attractive planting throughout based on maximising biodiversity and ecological potential through the selection of diverse planting mixes with native or wildlife attracting attributes;
 - The provision of attractive hard landscape items including surface materials, site furniture, and boundary elements, that combine to create a simple palette of high quality, robust, and unified elements that complements both existing public realm areas, and the proposed architectural.
 - The retention and enhancement of the existing vegetation structure associated with the site boundaries. This would include reinforcing the site boundaries where required, in particular along the south western and south eastern site boundaries.
39. The development proposals would contribute to framing a network of green open spaces exuding a parkland character which would be sympathetic to the adjacent Ashford Green Corridors and the Great Stour.
40. Overall the applicants consider that the scheme proposes a sensitive and considered design approach that should allow the development to sit comfortably within its setting without detriment to the localised landscape character.

Materials (Plots 1 and 2)

41. The applicant has sought to draw on the long history of using brick in construction in Ashford and the South East of England, which has utilised local Weald clay, for the firing of local bricks for decades. Weald clay includes two types of clay; a blueish, dry clay and a softer, absorbent yellow clay.
42. The applicant proposes to use brick masonry, in a contemporary manner, in the architecture to help anchor the development in its surroundings while benefiting from its natural sense of robustness and endurance. The benefits of brick being that it ages well and weathers over time, requiring minimal maintenance.
43. The material palette has been given careful consideration; brick has been chosen as the most suitable material finish in order to achieve an urban/metropolitan feel in accordance with the aims of the ATCAAP. Brick facades are hoped to help establish the legibility of the buildings as clearly being residential, creating a sense of longevity and robustness for occupants.

44. The development of Plots 1 and 2 would see a masonry patina through a combination of mostly pale brick colours, with panels of brick set in a textured zig-zag array creating a playful sense of shadows and relief.
45. The circulation cores are wrapped in a perforated mesh, allowing for natural ventilation whilst also providing a break in the elevation. This simple addition to a limited material palette should add a subtle but contemporary feel to the proposed buildings.
46. The elevations see coloured metal cladding panels set adjacent to window openings to provide a contemporary balance with the traditional masonry material.



Scale

47. Plots 1 and 2 would see the provision of 7no. blocks ranging in height from 6-8 storeys (including podium level) up to a height of 25m. Acknowledging their scale the design seeks to incorporate design devices used in traditional

architecture which manipulated the perception of scale by reducing the size of openings towards the top of the building, the proposals seek to achieve the same effect with the lower floors having grander openings with window size and grandeur, proportionally decreasing in size on upper floors. This approach helps to reduce the visual mass of the buildings.

48. Relative to other developments Plots 1 and 2 are taller than the local context to the south of the river, which comprises predominantly two storey dwellings houses.
49. In relation to the development to the north the proposals would see the building sitting lower than both the new Cinema and Hotel complex, which themselves are lower than Debenhams further north. In this respect the proposals gravitate toward the town centre rather than the park and existing residences.

Layout

50. The sites location is such that as residents travel out of the town centre towards the site there is a sense that they are moving from a more urban area to one that feels more semi-rural. This has been acknowledged in the development of the layout and of the design.
51. The strategy that has been employed is for the buildings located on those plots closer to the town centre to be larger in scale and have a more metropolitan feel, whereas the buildings in Plots 3, 4 & 5 would reduce in scale. The proposed houses along the River Stour reduce in scale further, achieving a much more parkland feel that is appropriate to their location.
52. The blocks of flats adjacent to the existing pedestrian route linking Gasworks Lane to Victoria Park would be larger in scale, in order to create a busier and more vibrant feel to this often used path.
53. The proposals incorporate pedestrian routes throughout and would provide:
 1. A new bridge link from Plot 5 to Victoria Park (as required by TC13)
 2. New public access along the northern bank of the River Stour (as required by TC13)
 3. Enhanced pedestrian routes through the site to Victoria Park (as required by TC13)
 4. A access point to the bridge link from Plot 1 to the centre of Ashford (as required by TC12)
 5. An enhanced pedestrian right of way to the north of Plot 1

54. The proposals incorporate communal gardens for residents of the PRS units within Plots 1 and 2, with 'social spaces' for outdoor activities including table tennis, dining and barbecuing.
55. Open space and urban realm is also proposed within plots 3-5 and along the northern boundary of the river.
56. The applicant team consider that the proposals would accord with the place making objectives of the ATCAAP by providing improved access to the open space, as well as creating new high quality public and private realm. The proposed development would replace derelict land with a high quality new and contemporary neighbourhood, significantly enhancing the appearance of this underused site.



Plot 1 Layout

57. The architects have sought, through the design for Plot 1 & Plot 2, to transform Victoria Road into an active residential street, rather than grander boulevard, which may necessitate larger buildings. To achieve this sense of place they have focused efforts on providing 'eyes on the street' i.e. plenty of windows and front doors, along the street.
58. This has been achieved by providing 3 x two-storey illuminated foyer entrances, which access the podiums directly from the street. The foyers provide front doors off Victoria Road and act as a threshold between the public street and the private courtyards. It is envisaged that this approach would create a secure entrance for residents before they have even reached their own front door. These foyers also provide a pedestrian entrance down to the undercroft parking level. Post boxes are also located in these entrances.

59. The proposal sees a linear arrangement of 4 'finger' blocks on Plot 1, orientated north-south. Each block would have a mix of units that overlook either the podium space or views across to the park. A small proportion of these units would be dual-aspect, and with minimum overlooking issues when set at a distance of 22.4m from one another.
60. The linear positioning of the buildings to one another allows for direct sunlight into this landscaped area for much of the day, without causing any overshadowing of lower level units for much of the day and throughout the year. Daylight and sunlight would be available to all units. Flat layouts are either dual-aspect, with views on to both the park and the podium, or at the very least south-facing towards the park.
61. The design decision to have four 'fingers' end on to the street ensures that the buildings enclose the street and create an attractive streetscape for pedestrians and cyclists as well as traffic (a key tenet of all successful and safe streets) and requirement of the ATCAAP (Par2.120), whilst avoiding a single large continuous façade. In this regard the applicants consider that the proposals for Plot 1 reduce the visual mass and bulk of the proposed buildings when viewed from Victoria Road as required by TC10.
62. To the western elevation of Plot 1 a vehicular access off Gasworks Lane is proposed to access the under-croft parking. Access from the secure parking to the residential units is provided directly via lift and stair cores.
63. The landscape design and communal courtyard spaces are understood to be as both amenity spaces for residents within the scheme. This is realised through the sightlines, varied access routes, aspect, biodiversity and by creating a sense of security within the development.

Plot 2 Layout

64. Plot 2 provides a triangular arrangement of blocks, which would allow for each block to have clear and uninterrupted view across to Victoria Park and on to the internal shared podium courtyard.
65. The position of the buildings to one another allows for direct sunlight into this landscaped area for much of the day, without inhibiting any views from Plot 1 towards the park. To benefit from this all flat are either dual-aspect, with views on to both the park and the podium, or at the very least South-facing towards the park.

Elevations (Plots 1 and 2)

66. The elevations are proposed in a subdued and simple palette of bricks, incorporating vertically biased picture frame windows, with metal doors to the side.

67. To articulate the front the proposals include a mix of projecting and recessed balconies which should help enrich and enliven the facades whilst meeting the Council's requirements for private balconies. The majority of balconies that face on to the shared podium courtyards are recessed, articulating the metal vertical balustrades with a continuation of the facade brickwork in order to create some visual interest.
68. To break up the elevations where windows are limited, decorative brick bandings and recessed brick panels are proposed to create visual interest and to help balance the coherence and proportions of the development.
69. Windows are grouped together into larger 'openings' at the lower floors, which decrease in overall size towards the upper levels. This approach helps to achieve a visual proportion that appears to reduce the overall mass of the building; larger openings on the ground floor which decrease in height in the upper floors.

Pop-Up retail Unit

70. Part of the proposals for Plot 2, include a small area for a 'pop-up' style retail/cafe unit. The proposed retail unit would be 61 sqm, and have a designated area reserved for any future advertisement.
71. This is intended to be delivered at the same time as Plots 1 & 2 in order to serve the residents – providing an opportunity for both community engagement and entrepreneurial investment.
72. The Unit would be located between the existing sub-station and Victoria Road, sitting alongside the central pedestrian route from the town centre into Victoria Park. This location has the greatest potential to attract as many passers-by as possible, whilst also acting as a key visual landmark.

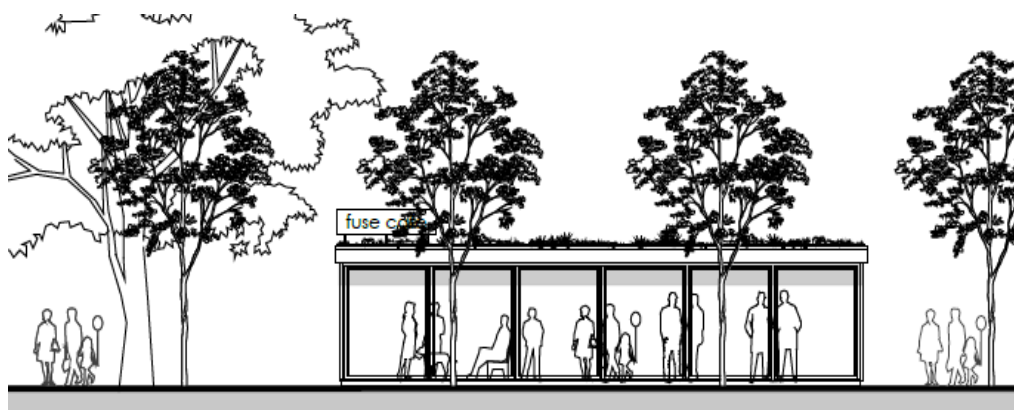


Figure 4 - Elevations

73. The images below are examples of successful and well used existing projects (in London) and are provided to give an impression of the final intent for the retail unit proposed as part of this scheme.



Figure 5 Pop-up Units, Shoreditch

Access

74. Plot 1 is proposed to be accessed off Gasworks Lane, which benefits from an existing signalised junction provided as part of the Victoria Road development. Plots 2, 3, 4 & 5 would be accessed directly off Victoria Road via the existing access points, albeit in some instances these would be modified slightly.
75. Access to Plot 2 would include a new right turn lane provided in the central reservation.
76. Access to the public surface level carpark would be gained by modifying the existing site access to the north of Victoria Road approximately 150m east of Gasworks Lane.
77. Additional uncontrolled pedestrian crossing facilities would be provided on Victoria Road near to the vehicle access points for Plot 1 and 2. They would both benefit from refuge islands, tactile paving and dropped kerbs.

Supporting Documents

78. This section of the report sets out a summary of the main supporting documents submitted by the Applicant.

Planning Statement

- PS 1. The Planning Statement sets the context for the development in national and local policy terms, as well as with reference to other material considerations, including the relevant Supplementary Planning Documents and the Government's Technical Housing Standards - Nationally Described Standards for minimum internal space for new residential developments.

PS 2. The PS concludes that the proposals are consistent with the objectives of the relevant policies of the Ashford Town Centre Area Action Plan (ATCAAP) and are therefore acceptable in principle. The PS addresses the design of the proposed development in terms of the NPPF and the relevant development plan proposals, and concludes that, as set out in the Design and Access Statement, the proposals have been designed to relate sensitively with both Victoria Park and the surrounding context and would deliver a number of important placemaking objectives consistent with the objectives of the ATCAAP. The high quality design meets the requirements of the NPPF, Core Strategy and ATCAAP.

PS 3. In terms of the mix of dwellings, the PS refers to the emphasis in the NPPF to significantly boost the supply of housing and that there is a presumption in favour of sustainable development. It refers to the emerging Local Plan, and the Strategic Housing Market Assessment (SHMA, 2014), acknowledging their proposed mix does not meet the mix required in the SHMA but stating that the SHMA says that in applying the housing mix targets, regard should be given to the nature of development sites and character of the relevant area. It does however, note the high reliance of young people on the private rented sector and goes on to say that the core demand for the proposed Private Rented Sector (PRS) accommodation proposed, is anticipated to come from young professionals and first time buyers attracted to the accessibility of the site to the centre of Ashford and London (through HS1), the close proximity of local services/shops and the relative affordability of house prices within Ashford. Whilst Plots 3, 4 and 5 provide predominantly 1 and 2 bedroom units, some larger three bedroom houses are proposed along the northern bank of the river. Therefore a range of dwelling types and tenures, appropriate to the town centre location, is in broad accordance with the SHMA and the requirements of Policies CS13 and TC13.

PS 4. In respect of PRS housing, it states that the benefits of PRS have been acknowledged by the Council through its endorsement of a report that was considered by the Cabinet in September 2015. This identifies that PRS housing would widen the choice of easy access, flexible housing and would bring wider spending benefits to the town centre. The presence of high quality PRS developments in the town centre is therefore being encouraged.

PS 5. With respect to affordable housing, the PS confirms that there is a national and local policy requirement to provide affordable housing, and that providers of PRS housing charge a market rent and therefore PRS is not affordable housing. However, Planning Practice Guidance acknowledges

the contribution that PRS housing has to providing housing for long term rental and to improving the diversity of housing to meet local needs. Furthermore, the PPG notes that the viability of such schemes differs from housing built for sale and that to help ensure PRS schemes remain viable, planning authorities “should consider the appropriate level of planning obligations, including for affordable housing, and when these payments are required”. The Viability Assessment submitted with the application indicates that the proposed scheme is unable to support on site affordable housing.

- PS 6. In terms of amenity, the PS confirms that the proposed units would be compliant with the Residential Space and Layout SPD. The proposals would have minimal impact on the residential amenities of neighbouring residential uses. The supporting Environmental Noise Assessment concludes that, subject to screening, noise and vibration impacts from surrounding uses would fall within the range considered acceptable.
- PS 7. 545 car parking spaces are proposed in relation to the residential use – an overall parking ratio of 0.83 car parking spaces per residential unit. The ATCAAP Policy TC21 indicates that multi-storey public car parks are required to be delivered in the town centre before 2021 at Victoria Way (providing 500 spaces) and New Street (providing 400 spaces). A proposed surface level car park intended for public use, and it is capable of accommodating a multi-storey car park in the future.
- PS 8. The Transport Assessment confirms that the impact of the proposed development on the operation of local junctions would be modest and is acceptable in planning terms. The PS states that the proposed access arrangements have been designed to enhance pedestrian and vehicle access and would also create new opportunities for pedestrians and cyclists to the north of the river bank and improve connections with Victoria Park.
- PS 9. The Heritage Statement identifies and assesses the impact of the proposals on heritage assets and the Design and Access Statement explains how the proposals have been sensitively designed to relate to the surrounding area. Further archaeological evaluation is recommended and can be covered by condition.
- PS 10. The Arboricultural Impact Assessment assesses the impact of the proposals on trees and concludes that subject to mitigation planting, the proposals would not result in harm to the wider landscape. In terms of ecology, the proposals have been designed to accord with the objectives of the Core Strategy and ATCAAP and whilst not having adverse impacts on

surrounding habitats, would enhance the landscape and ecological value of the application site over time.

PS 11. The submitted Flood Risk Assessment demonstrates how the sequential and exception tests have been passed and how the scheme would not increase risks of flooding on site or elsewhere. Indeed the development would provide additional flood compensation storage space in comparison to the existing arrangements, with this being secured by way of planning condition.

PS 12. With regard to sustainable development, the Energy Strategy concludes that the proposals for plots 1 and 2 should achieve a reduction in CO2 emissions in excess of 40% lower than a Part L 2013 baseline compliant building through passive and energy saving technologies. The outline proposals for plots 3 -5 are anticipated to achieve 20 – 25%.

PS 13. In terms of open space, the following open space / amenity space is proposed on site:

	Plot 1 (sq m)	Plot 2 (sq m)	Totals
Roof level open space	960.8	625.4	1,586.2
Podium level open space	2,587	1,510	4,067
Totals	3,547.8	2,135.4	5,683.7

PS 14. The open space is a combination of allotments and community storage, social nodes, incorporating BBQ areas, tables and benches, table tennis/table football and perimeter seating and quiet seating areas incorporating a water feature, seating and a chess table. The roof gardens will similarly provide versatile open space for social activity, outdoor dining and relaxation. Excluding private open space provided for in the form of balconies, Plots 1 and 2 provide approximately 14.6sq m of on-site open space per unit. As the anticipated occupiers of the PRS units within Plots 1 and 2 are anticipated to be young professionals and prospective first time buyers, the proposed type of open space / amenity space is considered appropriate.

PS 15. On Plots 3, 4 and 5, a total of 6740.4 sq ma of open space is to be provided, excluding private open space provided in the form of balconies. This provides approximately 27.8 sq m of open space per unit, all of which is within walking distance of Victoria Park. The proposed bridge link will improve accessibility to Victoria Park for existing and future residents alike and the open space within the plots is capable of accommodating play facilities. Overall, the submission concludes that the proposals provide a significant amount of open space to cater for the needs of the development.

Design and Access Statement

D&A 1. The D&A Statement has been undertaken with consideration to the National Technical Standards, the Core Strategy and Local Plan. It states that the proposed scheme has developed through a rigorous design approach which has sought to acknowledge the rich local history and also the surrounding developments in the pipeline, whilst seeking to incorporate a variety of contemporary residential homes. The design approach has been carefully considered to make best use of the site whilst acknowledging and preserving the immediate surroundings and the final outcome is a proposal which presents a high quality design.

Private Rented Sector housing

D&A 2. A key aspect of the viability and nature of the proposals relates to 400 dwellings being provided as Private Rented Sector rather than open market or affordable housing.

D&A 3. The Private Rented Sector (PRS) is a classification of UK housing tenure as described by the Department for Communities and Local Government, a UK government department that has amongst its remit the monitoring of the UK housing stock. Other classifications are:

- owner-occupied
- rented from registered social landlords (housing association)
- rented from local authorities

D&A 4. It is noted by the applicants that the Private Rented Sector consists of 3.6 million households in the UK. Of this total, the vast majority is found in England. The sector has grown from 2.4m in 1980, an increase of 62.5%, and according to the Centre for Economics and Business Research is forecast to grow by a further 40% over the coming ten years. Rental growth is expected to be in the region of 2.5-3.5% in the coming year.

- D&A 5. By 2021, Ashford's town centre is expected to grow to provide around 8000 additional jobs and 2500 dwellings to create a vibrant, attractive and safe place to live, work and do business. The Ashford Town Centre Area Action Plan outlines detailed proposals of how this growth would happen. It identifies specific sites for development and policies to address a range of planning issues including design standards, the mix of business, residential and retail premises, how the town's heritage and character would be preserved, the inclusion of public art in development proposals and parking provision.
- D&A 6. The eventual owners of the building would be Neighbour, who have delivered and managed a 20,000 multifamily home portfolio (www.bovista.se) in Scandinavia. Neighbour have confirmed that they intend to employ local letting agents contracted to use specified tenant referencing and credit checks to undertake the initial leasing up; thereafter Neighbour intend to lease all units using individual on-site letting and management teams, with the benefit of a centralised marketing and pricing website.
- D&A 7. Neighbour intends to create its own in-house management platform either organically or through a strategic venture with a UK based property management entity.

Transport Statement (TA)

Existing

- TA 1. The proposal site is accessible by foot and cycle, both internally and to the surrounding area. Bus routes pass within a close proximity of the site, allowing for access to local conveniences and attractions as well as the wider area. The site is well connected to the rail network with Ashford international and domestic station within the IHT walk distance.
- TA 2. As a result there is a high likelihood that future residents of the site would not be reliant on travel by car.
- TA 3. An assessment has been made comparing the accessibility of the proposal site with national measures of accessibility. It concludes that the site accords with the statutory walking distance for primary and secondary school pupils, and is within the CAI weighted average distances for local facilities.
- TA 4. The proposed residential development site benefits from a high level of accessibility to key services, facilities and destinations.

TA 5. Accident history of the road network local to the site has not identified any accident patterns that would impact on the acceptability of the proposed development.

Proposed Access

TA 6. A new vehicular access would be created to the west of Plot 1 off Gasworks Lane, which already has a signalised junction.

TA 7. Access to Plot 2 would be provided by modifying the existing site access to the south of Victoria Road c100m east of Gasworks Lane. This access would also include a right turn lane.

TA 8. Access to Plots 3, 4 and 5 would be provided by two priority junctions to the south of Leacon Road. The first would utilise the existing site access c65m west of the Gasworks Lane junction. The second would modify the existing site access c50m east of the entrance to Stag Enterprise Park.

TA 9. Access to the public surface level carpark would be provided by modifying the existing site access to the north of Victoria Road c150m east of Gasworks Lane.

TA 10. Visibility splays (i.e. for a 30mph design speed) can be achieved to the nearside kerb in both directions at each of the site access junctions.

TA 11. The internal routes for cars have been considered and swept path drawings demonstrating the acceptability of the site layout.

Highways Improvements

TA 12. Junction modelling has been undertaken for the Victoria Road / Station Road / Romney Marsh Road / Beaver Road and Elwick Road / Station Road / Station Approach signal junctions, based on an altered road layout.

TA 13. The modelled improvements to the Elwick Road / Beaver Road / Station Road / Station Approach signal controlled junction include introducing a new left-turn only filter lane on the northbound Beaver Road arm for vehicles tuning into Elwick Road. The stop line for the Elwick Road arm would also be brought forward and the pedestrian crossing on the Station Approach arm staggered.

TA 14. The modelled improvements to the Victoria Road / Station Road / Romney Marsh Road / Beaver Road include staggering the pedestrian crossings on Victoria Road and Beaver Road.

TA 15. A copy of the proposals are attached as Appendix 2.

Parking

TA 16. It is proposed to provide 545 parking spaces to serve the residential development.

TA 17. Car parking standards that are applicable to the residential development are set out in Ashford Borough Councils (ABC), 'Residential Parking and Design Guidance SPD,' dated October 2010 and the relevant standards as set out in policy TC23 (Residential parking standards in the town centre) of the Ashford Town Centre Area Action Plan (ATCAAP).

TA 18. Policy TC23 specifies a maximum provision of 1 space per dwelling for 1-3 bedroom units and 1.5 spaces per unit for 4+ bedrooms units within the 'Southern Expansion Quarter'.

TA 19. The policy TC23 standard equates to a maximum provision of 660 spaces for the residential development ($660 \times 1 = 660$). On this basis, the proposed parking provision of 518 spaces does not breach the local parking standards.

TA 20. Policy TC24 specifies a minimum of 0.3 cycle space per dwelling for flatted developments and 1 cycle space per dwelling for town-houses or other non-flatted units. This equates to 216 cycle parking spaces and this would be provided within the development. 4.2.9 The policy TC24 standard equates to a minimum provision of 216 cycle spaces for the

TA 21. The car parking standards that are applicable to the retail unit are set out in KCC'S 'Supplementary Planning Guidance (SPG4): Vehicle Parking Standards,' dated July 2006. It specifies a maximum of 1 space per 18sq.m for 'Food Retail up to 1000sq.m.' No dedicated parking is proposed for the retail unit.

Traffic generation

TA 22. The applicants for this development are the same as the development at the eastern end of Victoria Way for a new supermarket, brewery, hotel and 200 flats [yet to be submitted]. As a result the Transport Assessment (TA) includes the trip rates for this development as well to help provide the Council with an accurate and a worst case scenario.

TA 23. Developments included with the Transport Assessment, for the purposes of assessing the development in light of the wider Town Centre regeneration include:

- (a) Commercial Quarter 11/00382/AS
- (b) Kent Woolgrowers residential development 13/00713/AS
- (c) Ashford College 11/00757/AS).
- (d) Ashford Hospital Site residential development 11/01328/AS
- (e) Elwick Road Phase 15/01195/AS
- (f) Elwick Road Phase 2 residential development 15/01282/AS
- (g) Godinton Industrial Estate residential development 14/01305/AS
- (h) Ashford Outlet development at Ashford Designer Outlet
14/01402/A2

TA 24. The applicants consider that the capacity assessments show that the impacts of the proposed development are minimal for all peak periods considered in this assessment, and the site access junctions would operate within capacity for all peak periods subject to the mitigation works described above being implemented.

TA 25. The effect of the junction improvements would reduce the effect of the developments at the Elwick Road / Station Road / Station Approach and Victoria Road / Station Road / Romney Marsh Road / Beaver Road Signal Junctions. The Leacon Road / Brookfield Road signal junction would continue to operate within capacity under the 'with all developments' scenario.

TA 26. Overall therefore, the impact of the proposed development is acceptable.

Flood Risk Assessment and Drainage

FRA 1. The FRA submitted with the application has been prepared in accordance with the guidance set out in the NPPF and following consultation with the Environment Agency, Ashford Borough Council and Southern Water. The report is summarised as follows:

- The site falls generally within an area designated by the EA as Flood Zone 3 – land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year. It is noted that following the fluvial modelling of the sites, plot 1 is likely to be no longer classed as being within Zone 3 once the EA have reviewed the recently commissioned modelling.
- The main flood risk relates to fluvial flooding (river flood).
- Medium risk of ground water flood emergence.
- The use of SuDS to control the discharge of surface water generally has been considered. An assessment has been made for the site considering the various techniques and this is contained in the report which highlights that swales, ponds and above and below ground storage tanks are the most suitable for this site in general rainfall conditions. However, above flood level storage systems will be required to cater for the total required storage volumes for the 1 in 100 year plus climate change storm condition.
- The proposed development will benefit the area by controlling the surface water discharge to equivalent greenfield run-off rates.
- The proposed development comes under 'more vulnerable' category (for the residential use areas) and therefore would not be suitable for the flood plain, however as the development proposals are to have car parking at ground level with all residential accommodation to be at high podium level (first floor and above) with high level pedestrian access to a level off-site above the predicted worst case flood level to ensure public strategy. This strategy will therefore result in no residential property being at risk and only the parking level subject to flooding. This approach has been discussed and agreed with the EA as being appropriate to enable the development of this site for residential use.
- In consultation with the EA, it has been accepted that if extreme flooding occurs, on flood water entering the sites, all inhabitants of the development will have safe access routes to areas outside potential flood areas. The minimum level for the residential properties from historic applications was stipulated as 40.0m AOD. The proposed scheme podium levels will maintain and improve upon this minimum level thereby providing the necessary protection to occupiers in extreme flood conditions.

- There will be sufficient access to the river banks as to meet the EA's requirement to maintain a minimum of 8m wide clear strip along the river bank for maintenance purposes.
- Given these measures, it is considered that appropriate measures are proposed so that the residual risk of flooding to the development is small and that it has little effect on flooding up and downstream. The only area at risk is the plots 3, 4 and 5 of the car parking at ground level.

Economic Benefit Statement

- EBS 1. The Economic Benefit Statement sets out how the development is considered to contribute to the economic dimension of three elements of sustainable development as set out in Central Government policy contained in the NPPF sets out three dimensions to sustainable

Construction Phase Benefits

- EBS 2. The applicant's evidence suggests that construction phase could generate and sustain direct employment opportunities within the construction sector. Each direct construction job would contribute to economic output in the form of Gross Value Added (GVA). GVA can be used to measure the financial contribution the Proposed Development would make towards the economy, measuring the value of goods and services produced within the construction sector. The Development would also support indirect employment opportunities throughout the supply chain, resulting in economic activity across a variety of sectors.

Completed Development

- EBS 3. The proposed development would deliver 61sqm of A1 Use Class floorspace. This would itself provide employment opportunities and service the proposed residential units.
- EBS 4. The proposed A1 floorspace would also generate annual business rates, contributing to the funding of local services and infrastructure.

Economic impact of proposed scheme

- EBS 5. Paragraph 152 of the NPPF confirms that Local Planning Authorities should seek opportunities to achieve each of the economic, social, and environmental dimensions of sustainable development, and net gains across all three.

- EBS 6. The applicant considers that the development would result in substantial net positive impacts on the local economy, consistent with NPPF policy.
- EBS 7. The development has the potential to input up to £13.3m into the local economy through expenditure, £1.1m in new Council Tax payments and importantly around 915 new residents in the town centre whose first port of call for shopping and leisure would be the town centre. This is quite crucial when considering the Council's objectives to enhance the town centre offer and night-time economy.

Landscape and Visual Impact Assessment

- LVI 1. The application site comprises three vacant derelict and over-grown plots on the edge of Ashford's town centre and the proposal represents a significant opportunity to create a high quality, sustainable urban extension. The applicants do not consider that the site is sensitive in terms of townscape character and views are localised as a result of intervening built form and vegetation that characterises the edges of the site and the wider setting.
- LVI 2. The applicants have given consideration to the scale and layout of the proposals, to the proposed landscape structure, and provision of open space seeking to promote a strong green infrastructure. The resulting development is thought to be a considered response with a layout that should ensure that the proposals can be integrated into the site and its immediate setting within the realms of the Southern Expansion Quarter.
- LVI 3. The visual impact assessment considers that the proposals would not give rise to any significant adverse townscape or visual effects that cannot be mitigated. The proposals would not result in significant harm to the townscape character or visual environment and, as such, it is considered that the proposed development can be successfully integrated in this location, is supportable from a townscape and visual perspective, and therefore meets the requirements of both national and local planning policy.
- LVI 4. The proposals promote a reduction in the scale of development compared to the previous application which was approved, contrary to the decision of the Council, by the Secretary of State on appeal. It is considered that the proposals can be integrated in this location without harm to character or visibility and are therefore supportable from a townscape and visual Perspective.

Land Contamination - Phase One Environmental Desktop Study

- LC 1. The site assessment has concluded that there is a high potential for land contamination to be exposed during the works, however, once the construction works have been completed following the site remediation there would be a low potential of contamination to residential occupants of the site. The high risk for potential contamination is associated with site operatives during the construction and controlled waters as is typical for a site of this nature, former use and location.
- LC 2. The industrial activity identified historically on the site is a combination of historical works (including electrical) / factories / depots. The intrusive investigations included soil and water sampling including gas monitoring enabling a more detailed assessment of the risks to be determined.
- LC 3. Due the nature of the proposed land use for the site it is considered that the remediation of soil and/or Controlled Waters is required in the form of the removal of all identified hot spots following along with any further measures needed in agreement with the Environment Agency and the Local Authority Environmental Health Officers.

Lighting Impact Assessment

- LIA 1. The report assesses the effects of artificial lighting from the proposed development at the former Powergen site in Ashford. The assessment was carried out to inform the planning application for all phases of the proposed development.
- LIA 2. To identify potential issues such as light obtrusion from the proposed development a desktop and baseline survey was carried out and the potential effects identified with mitigation techniques discussed.
- LIA 3. For context the site is situated to the North of Great Stour, running adjacent to Victoria Road, South of the railway line and West of Ashford International Station. The Southern part of the site looks out over the adjacent Victoria Park.
- LIA 4. The report concludes that light obtrusion if unmitigated would be caused by the development. To address this the mitigation is recommended and would need to be secured by condition.

Planning Noise and Vibration Assessment

- N&V 1. The applicant's proposals highlight that the scheme would introduce sensitive residential receptors (new residents) to an environment which is already impacted by road (Victoria Way) and rail noise (CTRL and local lines) and the background hum noise generated by the electrical sub-stations.
- N&V 2. Mitigation measures are required to ensure that these new receptors are suitably protected from environmental noise and vibration.

External Amenity

Victoria Road Primary School

- N&V 3. Victoria Road Primary School, located to the south east of the site, is the nearest sensitive receptor to the proposed development. It would not be significantly impacted by the residential development post occupation, however, there is some potential for it to be adversely impacted upon during the construction phases. As a result the applicant proposes to carry out a BS5228 assessment – once the development phasing plans have been finalised to ensure suitable noise mitigation measures are in place during construction works to protect the school. It is envisaged that good practice noise and vibration control measures during construction would be sufficient to mitigate the impact on the school to acceptable levels.

Plot 1

- N&V 4. In light of the height of the amenity spaces proposed on Plot 1, a 2m high close boarded fence or similar noise barrier should be provided between each of the four Plot 1 towers, fronting the railway line, to ensure the space can be used for relaxation. It would be necessary for the Council to condition this and seek visual softening of this barrier for residents.
- N&V 5. Balconies or terraces which face the road / railway which are intended for 'relaxation' purposes, should be provided with suitable screening or building design to achieve the lowest practicable noise levels. This would typically include provision for imperforate screens (of sufficient height to protect a seated occupant) and absorptive materials on soffits. This would need to be conditioned.

Plot 2

- N&V 6. Balconies fronting the road and electricity substation are expected to experience levels in excess of that considered appropriate in BS8233:2014. In these locations, small balconies may be included for uses such as drying washing or growing pot plants without additional noise mitigation. Larger balconies or terraces intended for 'relaxation' purposes, consideration should be given to providing screening or building design to achieve the lowest practicable levels. This would need to be conditioned.

Plots 3, 4 & 5

- N&V 7. Any larger balconies and open amenity space to the north of blocks 3a – 3c, 5a and 5b are expected to be exposed to levels in excess of 55 dB upper limit considered appropriate and consideration should be given to providing screening or building design to achieve the lowest practicable levels. Southerly and south westerly facades of blocks 3a – 3c and 5a - 5b are expected to receive attenuation from the structures themselves bringing levels below the upper limit of 55 dB considered acceptable for amenity space. This would need to be conditioned.
- N&V 8. The residential properties in Plot 4 are expected to receive attenuation from the proposed structures in Plot 3. Any balconies and areas of open amenity space are expected to be below the upper limit of 55 dB considered acceptable for noisier environments.

Living Rooms, Dining Rooms And Bedrooms

Plot 1

- N&V 9. Glazing affording 37 dB attenuation is required for those bedrooms with openings facing the railway on the northern façade to ensure night time standards can be met. Standard glazing would be appropriate for north-facing living/dining rooms. This would need to be conditioned.
- N&V 10. It would be necessary to assume a 'closed window' solution across Plot 1 as internal noise levels would not be achievable with the window slightly open. Provision of the required 'closed window' solution would also satisfactorily mitigate hum from the adjacent substation. Noise attenuation at 100 Hz should be at least 20 dB. Individual product specifications vary, however it may be necessary to have upgraded glazing such as 10/12/4 (glass/cavity/glass mm) in bedrooms overlooking the substation. This would need to be conditioned.

Plots 2, 3 and 5

- N&V 11. Plots 2, 3 and 5 noise attenuation provided by standard double glazing is expected to achieve the required daytime and night-time internal acoustic standards across all facades of the Plot. It would be necessary to assume a 'closed window' solution for all facades except those facing in a south or south westerly direction as internal noise levels would not be achievable with the window slightly open.
- N&V 12. Provision of the required 'closed window' solution would also satisfactorily mitigate hum from the substation adjacent to Plot 2. This would need to be conditioned.

Plot 4

- N&V 13. Noise attenuation provided by standard double glazing is expected to achieve the required daytime and night-time internal acoustic across all facades of the Plot. Mitigation is not required.

All Plots – Ventilation Considerations

- N&V 14. Where a 'closed window' solution is required, the design of the ventilation strategy and assessment of summer overheating risk should take into account the requirement that windows should be not be open for prolonged periods of time. As such air conditioning solutions would be required. This would need to be conditioned.
- N&V 15. Any trickle vents providing background ventilation should be acoustically treated so as not to form an acoustic weak point. This would need to be conditioned.

Vibration

- N&V 16. Average peak particle velocity (PPV) levels recorded on and around the site are considered to be within the limits considered acceptable for human comfort. However levels above the recommended criteria were regularly exceeded over short duration during each train pass.
- N&V 17. Assessments carried out in the vicinity of Plot 1 suggests levels of ground-borne vibration as perceived by residents in the new structures may exceed the threshold whereby there is a 'low probability of adverse comment'. As a result the applicant proposes vibration control measures to be incorporated into the structures in Plot 1 to isolate the structure from the vibration source.

N&V 18. Vibration isolation requires specialist design and is likely to include elastomeric structural bearings on pile caps. Specialist advice would be required to incorporate such measures into the final structural engineer's design and further frequency monitoring of vibration may be required. This approach is similar that proposed by the Cinema and Hotel Development on Elwick Road. This would need to be conditioned.

Air Quality Assessment

AQA 1. The Air Quality Assessment (AQA) identifies the impact of the proposed development on air quality both during the construction and operation phases. The report also considered the potential exposure of future site users to predicted air quality and the suitability of the site for its proposed use.

AQA 2. The proposals acknowledge that the construction works have the potential to create dust and thus disturbance. To mitigate this, the applicant proposes to implement a package of mitigation measures to minimise the risk of elevated PM10 concentrations and dust nuisance in the surrounding area. It is requested of the Council that this is secured by a planning condition.

AQA 3. The site is considered suitable for residential development without the need for additional mitigation.

AQA 4. Overall, the applicant concludes that there are no air quality constraints to the proposed development

Arboricultural Survey Report

Arb 1. Existing tree cover occurs as two distinct collections:

- (a) Principal tree cover occurring on the boundaries of the application area within and outside of the applicant's control.
- (b) Trees set within the site, representing generally lower quality self-set specimens considered likely to have arisen through natural regeneration.

Arb 2. The trees located within the site are not protected by a Tree Preservation Order and do not lie within a Conservation Area.

Arb 3. The applicant has carried out a full tree survey to assess the quality of any existing trees from a visual amenity point of view.

Arb 4. The site contains:

- (a) 1 x Category A tree
- (b) 3 x Category B Trees
- (c) 4 x Category B tree groups

Arb 5. All remaining trees being are considered either unremarkable or of poor quality - being of limited or transient amenity value which may be readily replaced without significant individual impact on the amenity of the site. It is noted that the Category 'C' tree cover filters views of the site and contribute to the definition of the site boundaries.

Arb 6. The site's only category 'A' (high quality) tree is located to the north of the existing electricity sub-station and would be retained and protected during construction and would thereafter continue to provide a landmark on the pedestrian route between Victoria Park and the town centre.

Arb 7. The Arboricultural Impact Assessment concludes that subject to mitigation planting, the proposals would not result in harm to the wider treescape.

Category A Tree Cover

Arb 8. A Crack Willow (T4) is located on the eastern boundary. The tree, this pollarded Crack Willow is considered to represent high arboricultural quality, and warrant category 'A' on account of its veteran potential. It is therefore considered to be the key tree for retention as part of the development as set out within the Council's policy requirements. The retention of veteran trees is also explicitly required within paragraph 118 of the National Planning Policy Framework 2012.

Category B Tree Cover

Arb 9. White Willow (T8), English Oaks (T11 & T12), Tree Groups G15 & G18: Located on the application area's southern boundary, these features are considered to be of moderate arboricultural value on account of their collective prominence within internal and external views.

Arb 10. G4 Grey Poplar, Sycamore, Hawthorn & Goat Willow: Located on railway land offsite to the north, these trees are considered to constitute a moderate arboricultural feature as a collective and for the screening benefit they provide. The arboricultural value would nevertheless be enhanced with intervention.

- Arb 11. G24 Grey Poplar & Field Maple: Located on the site's western boundary, this group is considered to form a moderate arboricultural feature by virtue of the collective prominence of the feature and the screening benefit it provides.
- Arb 12. The proposals necessitate the removal of 7no. trees (4 Cat B and 3 cat C), and 19 Cat C no. groups of trees including the partial removal of one group. The majority of the trees proposed for removal are considered to represent internally sited natural infill regeneration, as such, the applicant considers that the proposal can in this respect provide an opportunity for long term improvement to the treescape that outweighs the short term loss to amenity.
- Arb 13. Trees recommended for removal can be mitigated for as part of a comprehensive scheme of soft landscaping submitted separately. This scheme could also take the opportunity to introduce specimen trees and structural planting to the site. Moreover, when compared with the low quality of the majority of the trees to be removed, this would ensure enhancement in terms of the future amenity potential of the application area.
- Arb 14. The species chosen include native species and cultivars that are appropriate for inclusion within a residential setting, new specimen trees would also ensure continuity with the important, amenity trees retained both within the application area and on the boundaries.
- Arb 15. The use of advanced nursery stock that seeks to provide seasonal interest is also more likely to provide immediate and improved amenity benefits.
- Arb 16. To ensure appropriate tree retention during development, the applicant proposes to provide a detailed Arboricultural Method Statement. This would be secured by condition.

Archaeology Assessment

- AA 1. The destruction of preserved archaeology without proper record risks a major negative impact on the historic environment, but can be effectively mitigated through conditions on planning consent.
- AA 2. The recent construction of Victoria Way was preceded by geo-archaeological investigations these were of a very limited nature and confined to the road line.

- AA 3. The applicant's Archaeologist recommends that further archaeological evaluation should be carried out in advance of construction work commencing, in liaison with the Local Authority Archaeologist, so as to establish the presence or absence of buried archaeological remains within the application site.
- AA 4. Following this, further archaeological evaluation should be carried out in advance of construction work commencing, in liaison with the Local Authority Archaeologist, so as to establish the presence or absence of buried archaeological remains within the application site. If such remains are discovered and are assessed to be at risk from the proposed development, further mitigation appropriate to the established significance of those remains may be required, in the form of an archaeological excavation or preservation in situ. If required, this can be secured by way of a planning condition.

Ecological Appraisal

- EA 1. The Ecological Appraisal submitted with the application assesses the potential implications of the proposals on protected species. It is based on the following surveys:
1. Desktop study, consulting the local records centre and online resources;
 2. Phase 1 habitat survey;
 3. Detailed habitat survey in respect of open mosaic habitat;
 4. Assessment of bat roosting potential and bat activity survey;
 5. Water Vole and Otter survey;
 6. Breeding bird survey;
 7. Reptile survey;
 8. Invertebrate survey
- EA 2. The Ecological Appraisal notes that the proposed development would result in the loss of the majority of habitats currently within the site but records that these are only of low to moderate value at a local level.
- EA 3. The proposed comprehensive landscaping strategy seeks to provide replacement habitat opportunities for species currently supported by the site.

- EA 4. The Ecological Appraisal identifies that the habitats would be provided along the river edge, roadside frontages, podium areas, central swale and dedicated habitat areas.
- EA 5. It is proposed that the full details of this habitat provision and ongoing management activities are further developed as part of the detailed landscaping proposals for the site and that the proposals are detailed in a Habitat Management Plan to be secured by way of planning condition.
- EA 6. The proposals are considered to have been designed to accord with the objectives of the Core Strategy and ATCAAP and, whilst not having adverse impacts on surrounding habitats, would enhance the landscape and ecological value of the application site over time.

Heritage Assessment

- HA 1. The Heritage Assessment (HA) assesses the impact of the proposals upon designated and non-designated heritage assets. It describes the context of the proposals, the historic use of the site as part of the main concentration of industrial activity in the town during the Victorian period and beyond.
- HA 2. There are no designated heritage assets on the application site. The application site is around 200m from the Ashford Conservation Area. Whilst there is a concentration of listed buildings within the Ashford Conservation Area, these are located some 400m from the nearest part of the application site. The application site is visually separated from the buildings by the ring road and railway lines. There is a small number of monuments within 400m of the application site. There is no adverse impact upon the setting of any nearby designated or non-designated heritage assets. The application site is separated from the Ashford Conservation Area by:
- extensive areas of railway tracks and railway land
 - intervening land
 - new development between it and Elwick Road.
- HA 3. As a result, the site is not seen (visually and functionally) in the context of the Ashford Conservation Area and falls outside its setting.
- HA 4. The site visually and in its historic function relates very much to the employment areas south of the railway line, an area which contains predominantly large scale functional/industrial buildings. The area is part of a corridor of mainly large scale development including employment buildings, the substantial buildings of the international rail station and beyond that the dominant and extensive structures of the retail outlet

centre. This corridor has been used to accommodate large scale development to meet the town and the wider area's transportation, shopping, employment and housing needs. The applicant considers therefore that the context creates an opportunity to construct large scale buildings, which would be seen as an integral part of this corridor of substantial development without impacting adversely upon the character or appearance of the self-contained Ashford Conservation Area.

- HA 5. The physical and functional separation from the Conservation Area, from listed buildings and from other designated and non-designated heritage assets creates the opportunity and greater scope for new development of substantial scale and variety of architectural styles without the possibility of harm to designated and non-designated heritage assets.
- HA 6. The application site is separate, functionally and visually, from Victoria Park and the Hubert Fountain. The proposals do not impact upon the setting of the historic vestiges of the Ashford Power Station.
- HA 7. The applicant concludes that the proposals do not lie within the setting of any heritage asset and do not adversely impact upon the setting of a conservation area. Nor do they adversely impact upon any listed buildings, monuments and any other non-designated heritage assets. The proposals do not materially detract from the significance of any heritage asset.

Heritage Assessment Addendum

- HA 8. The applicants Heritage addendum responds to the representation received from Kent County Council (dated 19th February 2016) which dealt with matters of archaeological and historic interest.
- HA 9. The addendum assesses the significance of the remaining buildings on the site.
- HA 10. The applicants addendum highlights that in their view the buildings are not structures which were directly associated with the early power station on the site. The longer Atcost type building appears to have been used in the past in association with agricultural activity as a tractor repair centre. The smaller building, close to the entrance to the site, was part of the unit and possibly an office/reception building.
- HA 11. The buildings are around 50 years old and of no historic interest. Both buildings post-date 1960.

- HA 12. The applicant remains of the view that the remaining buildings on the southern portion of the application site are of no heritage value and do not merit a building record prior to demolition.

Energy Statement

- ES 1. Consideration has been given to the options that are available for the development in relation to Low Zero Carbon technologies and renewable energy. The following technologies were appraised as potential on-site energy regeneration in relation to the development. These comprised:
- Solar hot water
 - Solar Photovoltaics
 - Biomass heating
 - Ground Source Heat Pumps
 - Air Source Heat Pumps
 - Fuel cells
 - Wind turbines
- ES 2. Energy strategy calculations were undertaken to assess the site's carbon Dioxide (CO₂) emissions and to identify the most appropriate energy efficient solutions and appropriate low and zero carbon technologies. The Energy Strategy has also been written in compliance with the Council's Local Plan Policies.
- ES 3. The Energy Strategy has concluded that the proposed development is predicted to achieve a reduction in CO₂ emissions in excess of 40% lower than a Part L 2013 baseline compliant building through passive and energy saving technologies combined with a low carbon technology. The passive design measures include U-values exceeding compliance with Part L 1A 2013, highly efficient gas condensing boilers and energy efficient lighting with appropriate controls. These result in Part L 1A SAP compliance being achieved without the need for "clean" or "green" technologies – in fact, these combined measures alone achieve a 2.3% reduction from a baseline compliant scheme.
- ES 4. Other technologies to be incorporated included a communal heat network, which has been deemed feasible due to the energy demands of the site. It has been calculated that modulating Combined Heat and Power (CHP) engine(s) backed with condensing boilers would be suitable to distribute heat throughout the scheme. Connection to a District Heating network has been researched, but currently there is not a suitable network to connect

into, however “future proofing” plant space has been allowed for in the plant room should connection to a scheme become available.

- ES 5. The integration of various renewable technologies into the proposed development design has been explored and it has been identified that the CHP led community heating system would allow for a total site CO2 reduction of over 40% in combination with the other design measures, therefore comfortably exceeding standards for the planning policies required.

Electromagnetic Field Survey

- EMF 1. A power substation, which sits adjacent to Plot 2B, has the potential to emit unacceptable levels of electromagnetic radiation throughout the plot, which could cause difficulty for residents in terms of interference of their electrical devices.
- EMF 2. Low power substations, such as the one in question, are generally located roughly 300 metres apart in urban areas, with the size of substations varying depending on whether they serve mainly residential properties, or a mixture of uses including commercial and industrial units.
- EMF 3. The equipment inside substations generates magnetic fields. They tend to drop away quite rapidly, and generally only pose a threat to a property if in very close proximity, or if the substation is very powerful.
- EMF 4. Another source of magnetic fields from substations comes from the low voltage underground cables, either going to the substation if there are no overhead cables, and those leading away from the substation to the properties that draw power from it. These underground cables can run next to the house or garden and sometimes produce high-localised magnetic field level. The strength of the electric field depends on the voltage.
- EMF 5. Electric fields from substation equipment tend not to extend beyond the equipment housing, as practically all building materials screen them.
- EMF 6. Surveys of the power frequencies in the location of Plot 2b, fell below the guidelines set out by the ICNIRP, with both magnetic and electric field levels reducing gradually as you move further away from the substation.
- EMF 7. It is noted by the survey that the recorded levels may alter slightly at other times of the day and year, when the houses that share the substation are using different amounts of electricity. For example, in the evening when

people are returning home from work, and also in the winter time when houses are using more heating and lighting etc.

EMF 8. These levels would also alter when the building is complete, internal wiring and lighting likely to add to background emissions.

EMF 9. Overall the survey concludes that internal magnetic and electrical fields should not represent a problem for future residents and that mitigation is not required, over and above the noise mitigation discussed below.

Utilities Statement

US 1. This report provides a summary of the existing services, diversions, infrastructure reinforcement and proposed new utility infrastructure to serve the new development.

Statement of Community Involvement

SCI 1. This document summarises the extent and detail of the consultation on proposals for the redevelopment of the application site. The applicant it is stated, has undertaken an extensive pre-application consultation process with a wide range of key stakeholders from the local community, which complies with the requirements of planning policy at a local and national level. It concludes that during the two exhibitions it became clear that the majority of those attending had little if any objections to the redevelopment of the site for residential uses.

Planning History

05/01716/AS Outline Planning Permission granted on appeal for the demolition of existing buildings and the construction of a mixed use development comprising:

- 1,002 residential units/79,727 sq m (C3)
- 8,229 sq m of commercial floorspace, to provide for: -
Convenience goods supermarket of up to 3,716 sq m (A1) -
Retail uses within Use Classes A1, A2, A3, A4, A5 -
Business uses within Use Class B1 - Leisure uses within
Use Class D2 - Education, community facilities, crèche and
medical service uses within Use Class D1
- Associated car and cycle parking, including a car park for public use of up to 500 spaces and car and cycle parking to

support the residential and commercial uses on site. Total of 1,204 car parking spaces.

- Associated infrastructure, including: combined heat and power plant; ecological sewage treatment plant; wind turbines; biomass boilers; open spaces; pedestrian and cycle routes; vehicular routes; servicing; landscaping.
- With a total gross floorspace of 111,572 sq m



Figure 6 - Approved Masterplan



Figure 7 – Original Submission Pre-appeal (Plot 1)

07/01441/AS

Withdrawn application for the southern side of Victoria Road for the demolition of existing buildings and construction of mixed use development, comprising 634 residential units, including affordable provision, 518 sq m commercial floorspace for use within classes A1-A5 and B1, 445 car parking spaces, combined

	heat and power plant, ecological water treatment plant, wind turbines and associated access, footpaths, cycle paths, landscaping and open space. Southern site (AN ENVIRONMENTAL IMPACT STATEMENT DEVELOPMENT)
09/00460/AS	Planning permission granted for Victoria Way (initial phase) The provision of a new single carriageway (2-way) with footways and creation of a new "town square" at the west end of Victoria Road
10/00003/OLE/AS	To remove 457 metres of the 132,000 volt overhead line and reposition 45 metres of the existing overhead line by 30 metres to terminate upon a new steel lattice tower Also removal of two steel lattice towers.
11/00629/AS	Reserved Matters application for Phase 1 comprising details of appearance, landscaping and scale for a food store, other retail uses, car parking (including Town Centre car park), temporary community room, business and institutional uses and a CHP plant
15/00010/EIA/AS	EIA Screening opinion - Residential dwellings, foodstore, parking spaces for residents and public , a pedestrian and cycle bridge links and associated landscaping and access works and SUDS – EIA not required

Consultations

Ward Members: One of the Ward members is a member of the Planning Committee

KCC Highways and Transportation: Raise no objection subject to conditions and securing highway improvements as set out in Appendix 2.

ABC Project Office (Drainage): I support the comments provided by KCC's Flood Risk Project Office on 26 April 2016. As such, I have no objections regarding the surface water strategy for the proposed development subject to conditions recommended by KCC should planning permission be granted.

As a general comment, it is noted that the "half-drain time" for the 1:100+30%CC event for Plot 2 is above the 24 hours recommended (Approx. 32 hours). However, it is considered that enough capacity would remain in the system to allow for another significant rainfall event to occur inside this time period and still be accommodated by the proposed system. Should planning permission be granted, and the decision is taken at discharge of condition by the Planning Officer to request fulfilment of this requirement (as per general best practice and guidance), then it is considered practicable that a small increase in the discharge rate from Plot 2 (subject to

Southern Water approval) would allow this criteria to be met, whilst still complying with the Ashford Borough Council Sustainable Drainage SPD.

Southern Water: Comment as follows

Sewer Diversions

Southern Water has requested a condition be attached to any permission securing details of any measures proposed to divert the sewers.

Capacity

Southern Water cannot accommodate the development without additional local infrastructure as the development would increase flow into the wastewater sewerage system. As a result Southern Water has requested a condition requiring details of means of disposing foul and surface water.

[HSS&D Comment: Officers have reviewed the conditions and have attached those conditions which are considered lawful.]

Sport England: Objects to the development for the following reasons:

The additional population would generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with Circular 05/05, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

You may be aware that Sport England's Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that would be generated by a development for certain facility types. The SFC indicates that a population of 660 would generate a demand for 0.03 swimming pools (£118,339), 0.05 sports halls (£152,864), 0.01 indoor bowls centres (£15,518) and 0.02 artificial grass pitches (£19,928 3G or £17,450 Sand).

Furthermore, the requirement for natural turf playing pitch provision arising from the proposed population should be considered.

Kent Wildlife Trust: Object on the basis that the application fails to provide a full riparian zone of at least 8 metres along the river corridor, which would harm river ecology.

[HDSS&D Manager Comment: This has subsequently been amended and provided]

Stagecoach: We would like to see provision made for new bus stops (one in each direction) in the vicinity of plots 3A/3B, which would considerably reduce the distance between existing stops.

South Ashford Community Forum: SACF is pleased to see proposals coming forward for this long derelict site but wish to make the following comments.

1 Public parking and interface with railway crossing

The proposals for public parking and its relationship with the existing public realm and the railway footbridge are unclear. The Council's policy for the site requires the provision of a 500 space multi-storey public car park. The illustrations indicate a surface car park of 116 spaces or a multi-storey car park of 65 spaces per storey plus 72 at ground level. The section indicates four storeys above ground giving only 332 spaces. No perimeter treatment for the site at the interface with the existing footpath is indicated. This perimeter would be important to the ambience of the public realm at this location.

The Council's policy also states:

"Proposals shall include the provision of active ground floor uses to Victoria Way and the Learning Link frontages.

"The design of the scheme would need to show how it is compatible with, and can enable and/or deliver, proposals for an acceptable means of access to the crossing level of the pedestrian bridge over the railway taking the Learning Link from Victoria Way.

"Development on this site shall not prejudice the ability to replace the existing bridge."

We do not consider that the car park provides "active use". There is no indication of how the proposals deliver or enable access to the crossing level of the footbridge or how the bridge would be replaced once the car park is constructed.

2 Residential Parking

Although the requirements given in the Council's adopted Supplementary Planning Document, Residential Parking Design Guidance (i.e. 1 space per flat for 1 & 2 bed flats and 1.5 spaces per dwelling for 3 bed dwellings) are maximum, the SPD states that "Reduced or zero provision proposals would be expected to be accompanied by a clear commitment to establish car clubs and/or similar sustainable transport measures".

We believe that a commitment to establish a car club should be a condition of permitting this development with reduced parking provision, together with funding a parking review in residential streets likely to be affected including Victoria Crescent, Jemmett Road, Bowens Field, Chichester Close and Christchurch Road.

Whilst we appreciate that the Code for Sustainable Homes no longer forms part of Government planning guidance, compliance with cycle storage recommendations of CFSH might also be used in part mitigation for reduced parking provision.

3 Green Space Provision

Whilst it is noted that some green space is provided in the private areas between the blocks and some of the existing space along the River Stour would be available to residents, no assessment of green space provision against the Council's policy has been provided. It is clear that the development relies upon its proximity to Victoria Park and Watercress Fields for some of the green space needs of the residents. The requirement of a contribution toward the improvement of Victoria Park should be considered.

4 Affordable Housing

We understand that there is no intention to provide Affordable Housing within the development despite the Council's Policy: "Affordable housing would be required on all sites where the scheme is for 15 units or more or has a site area in excess of 0.5 hectares" and "Affordable housing should be provided on site and only in very exceptional circumstances would contributions to make equivalent provision elsewhere be acceptable".

We would like to see a reasonable proportion of affordable housing on this site. Adding the equivalent in affordable housing onto other sites is likely to result in poor integration, contrary to the Council's policy.

5 Infrastructure Services

We understand that negotiations are taking place regarding siting of a dental surgery in the Commercial Quarter and that it is hoped that a medical practice would also be located there. We do however consider that this site would be the ideal location for health and other services to meet the needs of the residents of the development and to relieve the existing oversubscribed services in the area. We would want to be assured that provision of such services is in place before occupation commences.

6 Planning Obligations

We appreciate that this is a difficult site to develop but we trust that the Council would take a robust view of the need for contributions toward services upon which residents of the development would rely. The recent number of schemes that have

come forward in the vicinity of the development is likely to have a positive effect on the value of the properties in this development. This should be considered when reviewing the viability assessment.

7 Visual Impact/contribution

We are disappointed that the Design and Access Statement makes great use of images of other developments with few visualisations of the proposed development. Some views of the whole development from positions in Victoria Park/ Watercross Fields would have helped readers assess the visual impact/contribution of the development.

8 Public Realm and Heritage

Whilst it is appreciated that there are no heritage assets on the site we would like a reference to the heritage of the site to be provided, such as the inclusion of a decorative or artistic feature recalling the presence of the power station.

9 Management

We note that Plots 1 and 2 would be Private Rental accommodation and understand that on site management would be provided. For the remainder of the development we wish to be assured that appropriate management would be in place to ensure that buildings and shared spaces are properly maintained.

Victoria Residents' Business and Recreation Action Group: Object making the following comments:

1. Lack of Consultation with Local Residents

2. Height of Proposed Development

3. Density too high

The proposed density of the development is too high. In essence the proposed development would create a large number of apartments which would saturate the area with many similar residential units.

4. Unattractive rectilinear Building Construction and Design

5. a) Lack of residential parking provision

The parking provision for the proposed development are inadequate and do not meet the recommended standard for parking provision design guidance of 1 space per flat/apartment and 1.5 spaces per three bed dwelling.

b) Parking Provision (Public)

The proposals for public parking are not clear. There was previously a requirement for the provision of a 500 space public multi-storey public car park in this area however the current proposals do not fully address this matter.

6. Access to Public Walkway and Railway Crossing

The submitted plans do not clarify how the public spaces of the development would interface with the nearby existing railway crossing footpath and footbridge.

7. Victoria Park and the Green Spaces within the Proposed Development

There has been no assessment of green space provision against the council's policy provided in the submission. We wonder if the development is relying more upon its close proximity to Victoria Park and its surrounding green spaces, in which case we would recommend considering a contribution towards improvements to Victoria Park.

8. Affordable/Social Housing

It appears that there is no intention to provide affordable housing with the development. This is in contradiction to the council's stated policy. We would also like to add that there should be an element of social housing provision on this development site, rather than at the more visible sites located closer to the International station and which are likely to be developed in the near future.

9. Environmental Impact

We would object to the use of Victoria Road for site access for building construction access purposes. We believe that the primary access point should be via Leacon Road, with Victoria Road to only be used in exceptional circumstances. This application does not provide any clear details on measures to mitigate construction nuisance or environmental impact, other than a couple of references to standards. We would suggest that the Council request conditions to be attached to any approval requiring a report to be prepared on environmental controls that would be applied during construction.

10. Other Provisions

With a development of this size there should be some provision made for a local doctors practice (GP) and possibly other public services such as a dental surgery as the local provision of these are already heavily overburdened and securing appointments is extremely difficult. We believe that the environment in which the community of Ashford live and work must also be cared for.

Kent County Council Heritage: No objection subject conditions being attached to any decision.

Kent County Council Drainage: Raise no objection subject to conditions relating to the final precise design details of the surface water drainage.

Kent County Council Public Rights of Way: Raise no objection as the proposals do not directly affect the Public Right of Way.

Environment Agency: Raise no objections subject to conditions and make the following comments:

- 1) The Environment Agency is disappointed to see this site has been allocated for development, given that the area to the south of Victoria Road is located within the undefended functional floodplain (flood zone 3b), as defined by the 20 year (5% Annual Exceedance Probability) undefended fluvial flood extent.

However as the site is defended by Hothfield Flood Storage Reservoir the EA has taken a pragmatic view to use the defended 20 year (5% AEP) flood extent to define the functional floodplain (flood zone 3b) in this case. In addition the further modelling work undertaken by JBA has demonstrated that the site is not at risk of fluvial flooding during the defended 20 year (5% AEP) event. During larger events flood water from the Great Stour will enter onto the site and into the swale designed to act as fluvial floodplain storage on the site.

- 2) The applicant has provided information to show that it will be possible to provide adequate flood storage compensation.
- 3) The applicant has confirmed that the development will be set back 8 metres from the River Great Stour, and that an undeveloped buffer zone will be maintained. The applicant has also confirmed that the river edge will not be treated with gabion baskets.
- 4) The EA recommends 9 conditions which are included in the conditions at the end of the report.

ABC Engineering Services:

Concerned that a parking provision of 0.78 spaces per unit would give rise to overflow parking in nearby unrestricted streets to the detriment of existing residents in these areas. I would therefore expect the applicant to make an obligation to fund consultation and implementation of a residents' parking permit zone in parking zone 10, South Ashford – being the streets bordered by Jemmett Road, Beaver Lane, Beaver Road and the Great Stour.

Natural England: No Comments

Network Rail: Network Rail has no objection

Environmental Health Manager: No objection subject to conditions.

KCC developer contributions unit

Green Spaces Team

Neighbours: 402 neighbours directly consulted; 13 letters of objection were received raising the following 13 issues:

1) Height

At 7/8 storeys local residents consider that the development is too high out of keeping with anything in the area, which comprises mostly 2-4 storeys. Residents consider that the height should be limited to a maximum of 5-6 storeys and ramped down to 2-3 storeys bordering the river Stour. They should also be broken up by varying the heights of the individual blocks.

[HDSS&D Comment: The comments above are noted however it should be noted that the Adopted Development Plan sets the framework for development on this site. The policy states that up to 8 storeys and 1000 flats would be acceptable, subject to design, on this site.]

2) Density

The density is too high and not suitable for the surrounding area

The housing type proposed is not suitable. It would be more appropriate to provide more 3, 4 and 5 bedroom houses with attractive gardens in this area adjacent to the green corridor thus enhancing the area rather

3) Building design

The scheme is not as intrusive as the Zed homes scheme, however; the design is stark, bleak and oppressive comprising an institutional

The materials are unattractive.

The design is not attractive and would not contribute positively to the area.

The scheme appears like a new 'Stanhope' comprising utilitarian and ugly blocks of flats.

More attractive shapes should be encouraged together with the use of more interesting and attractive materials in the build to create a high quality development.

4) Open Space

The proposals include insufficient open/green spaces.

The development provides insufficient Green/Open Spaces. If the applicants are relying on Victoria Park a contribution towards the parks upkeep or improvement should be provided

The treatment of the boundary of the development adjacent to Jemmett Path should be detailed and suitable for this important public route.

5) Highway Safety

Increased likelihood of congestion during construction and afterwards resulting in harm to highway safety.

A new pedestrian crossing should be built nearer the school, or failing that more traffic calming measures put in place.

A lack of parking is proposed. A higher ratio of spaces to flats should be proposed. The area (Victoria Crescent) already has more residents with cars than there are spaces, and this application would only worsen the problem. Insufficient parking is provided and needs to be a minimum of 1 space per unit

Lack of permit scheme would result in new parking being used by commuters.

6) Flooding

The proposals would increase the likelihood of flooding.

7) Affordable Housing

The proposals fail to provide any affordable housing which is in conflict with the Council's policies.

8) Privacy

Block 1D is going to be overlooking the schools playground. This is used at play time, lunch time and for PE all year round. The flats are so tall and have balcony's that would look on to the playground it would create a safeguarding and a security issue

9) Local Infrastructure

The scheme fails to provide the local facilities needed for an extra 660 dwellings and 1200 people, such as Doctors, Dentists and schools, as the existing facilities are already under strain.

10) Policy Compliance

The Council's policy for the site includes a requirement for a 500 space multi-storey public car park. The drawings show a surface car park of 116 spaces or a multistorey car park of 332 spaces. The full public parking provision should be included.

There is no indication of how the access to the crossing level of the footbridge is achieved or how the bridge would be replaced when the car park has been built.

11) Anti-social behaviour

The use of the pop-up shop should take into consideration the potential for causing litter along Jemmett Path and antisocial behaviour in the area, as might be the case with food or licensed premises.

12) Supporting Information

There are insufficient views in the application to allow full assessment of the visual impact of the development.

We understand that on site management would be provided for Plots 1 and 2. We would like confirmation that appropriate management would be in place for the remainder of the development, to ensure that buildings and shared spaces are properly maintained.

13) Noise pollution

Vehicles would be coming to the site at all hours of the day and night.

Planning Policy

79. 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.

80. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

EN32 - Important trees and woodland.

TP6 - Provision of cycle parking.

Local Development Framework Core Strategy 2008

CS1 - Guiding principles for sustainable development.

CS2 –The Borough Wide Strategy

CS3 – Ashford Town centre

CS9 - Design quality.

CS10 - Sustainable design and construction.

CS11 - Biodiversity.

CS12 – Affordable Housing

CS13 – Range of Dwelling Types and Sizes

CS15 – Transport.

CS 16 - Retail

CS18 – Meeting the Community's Needs

CS19 – Development and Flood Risk

CS20 - Sustainable drainage.

CS21 - Water supply and treatment.

Ashford Town Centre Area Action Plan 2010

Policy TC10 - The Southern Expansion Quarter

“The Southern Expansion Quarter should accommodate a large amount of new development with the primary focus on residential development, the proposed Learning Campus and a 500 space multi-storey car park all served

by the new Victoria Way. Also within this Quarter, limited retail, leisure, commercial and community-related uses would be acceptable in principle.

Redevelopment proposals in this Quarter must enable the delivery of the vision for Victoria way as an urban boulevard. All proposals must demonstrate that they would produce a well-proportioned street based on the relationship between building heights and street width. East of Gasworks Lane, redevelopment proposals shall ensure the delivery of a street 24 meters wide between building frontages. To the west of Gasworks Lane, redevelopment proposals shall ensure that the width of the street shall be based on the scale of building heights proposed along either side of the street.

Developments fronting Victoria Way would be required to deliver a finished quality of public realm to the quality set in the Town Centre Design SPD. This may involve improvements to the first stage construction standard of this space.

A new public urban space (Victoria Square) would be created at the intersection of the Learning Link route and Victoria Way in line with the Public Realm Strategy.

Developments that would front or surround Victoria Square and/or the Learning Link would need to show how they complement their roles in terms of their use, scale and design. A design brief for this area would need to be agreed by the Council before detailed proposals are considered.

A replacement footbridge / cycleway shall be delivered to provide an improved crossing of the railway lines and link between Victoria Square and Elwick Square.

Development adjacent to the footbridge / cycleway must demonstrate how it would respond to the change of levels between Victoria Square and the footbridge in a way that assists in the delivery of a high quality public realm along any resultant ramped, terraced or stepped solution.”

Policy TC12 – Former Powergen site North

“Development proposals for the site must include the provision of a public 500 space multi-storey car park, the delivery of which shall be included within any initial phase of development. Residential, food retail and complementary comparison retail space are also considered appropriate.

Proposals shall include the provision of active ground floor uses to Victoria Way and the Learning Link frontages.

The design of the scheme would need to show how it is compatible with, and can enable and/or deliver, proposals for an acceptable means of access to the crossing level of the pedestrian bridge over the railway taking the Learning Link from Victoria Way. Development on this site shall not prejudice the ability to replace the existing bridge.

Policy TC13 – Victoria Way south

“This site is allocated for residential development. Development on this site should provide a variety of different unit types and sizes.

Complementary small-scale office or retail uses at street intersections along Victoria Way should also be provided.

Proposals would:

- A. ensure development directly fronts onto Victoria Way and the river corridor;
- B. range in height from around 4- 6 storeys along Victoria Way down to a general 3-4 storey scale for development that fronts the river corridor; and,
- C. contribute to the provision of a new footway / cycleway bridge over the river to Victoria Park. The cost shall be divided on a proportionate basis with the development on site TC14.
- D. provide a pedestrian / cycleway along the northern bank of the river.”

TC1 - Guiding principles

TC2 – The Town Centre Core

TC21 – Multi-storey car parks

TC22 - Office, retail and leisure parking standards

TC23 – Residential Parking Standards

TC24 - Cycle parking standards in the town centre

TC26 – Green corridors in the Town Centre

TC27 – Open Space, Recreation, Sport and Play Facilities

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

Supplementary Planning Guidance/Documents

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Public Green Spaces & Water Environment SPD 2012

Sustainable Design and Construction SPD April 2012

Dark Skies SPD 2014

Other Guidance

Informal Design Guidance Notes 1- 4 (2015)

Government Advice

National Planning Policy Framework 2012

82. 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.
83. The NPPF is designed to facilitate positive growth – making economic, environmental and social progress for this and future generations and delivering sustainable development without delay. The policy document holds a ‘pro-growth’ agenda. Paragraph 21 highlights some crucial points in this respect, including:
- investment in business should not be over-burdened by the combined requirements of planning policy expectations
 - policies should be flexible enough to accommodate needs not anticipated in the plan and allow a rapid response to changes in economic circumstances
 - Local plans should identify priority area for economic regeneration, infrastructure provision and environmental enhancement.
84. Paragraph 23 requires that planning policies should be positive and promote competitive town centre environments. It continues that town centres are at the heart of their communities and that they should provide customer choice and a diverse retail offer and which reflect the individuality of town centres.

Paragraph 24 sets out the town centre first approach which is crucial in achieving these aspirations.

85. Paragraph 47 states that LPAs should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area in order to significantly boost the supply of housing.
86. Paragraph 50 states that LPAs should seek to deliver a wide choice of high quality homes with the specific aim of widening opportunities for home ownership. And where they identify that affordable housing is needed, the Council should set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.
87. It is clear Government advice that affordable housing policies should be sufficiently flexible to take account of changing market conditions over time, which is of particular importance given the date of our Core Strategy, the application site and the length of time this site has sat dormant.
88. The key theme of the central Government policy is one of promoting sustainable development. The purpose of the planning system is therefore defined as one that contributes to the achievement of sustainable development. There are three dimensions to sustainable development, being economic, social and environmental.
 - an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

89. Central Government policy attaches great importance to the design of the built environment as set out in paragraph 56 of the NPPF. Good design is a key component of sustainable development, 'indivisible from good planning' and contributes positively to making places better for people.
90. Paragraphs 173 to 177 are entitled 'Ensuring Viability and Deliverability' and are pivotal in ensuring that the scale of obligations and policy burdens included in local plans should not threaten the viability of potential development sites that contribute towards the planned housing delivery targets, thereby preventing sustainable development from being carried out.
91. Of note in regard development viability is the second half of paragraph 173, which states:
- 'To ensure viability, the costs of any requirements likely to be applied to development, such requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable'.
92. The NPPF encourages local authorities to approach affordable housing delivery pragmatically. In an environment of significant downward pressure on the availability of grant funding for the development of new affordable housing, local authorities are being challenged to deliver value for money of Government funding, their own funding and developer subsidy, whilst responding innovatively and effectively to local priority needs.
93. Optimising overall, locally appropriate outcomes is a consistent theme throughout policy.
94. The NPPG provides a general overview but focuses on viability in the context of both plan making and individual application sites. The site specific guidance covers a number of areas including different development types, brownfield sites, considering planning obligations in viability, values, costs and land value, but in particular expands upon paragraph 173 of the NPPF in regards 'competitive returns to developers and landowners'.
95. Paragraph 024 states:
- "A competitive return for the land owner is the price at which a reasonable land owner would be willing to sell their land for the development. The price will need to provide an incentive for the landowner to sell in comparison with the other options available. Those options may include the current use value of the land or its value for a realistic alternative use that complies with planning policy."

96. Paragraph 173 of the NPPF and the NPPG thereafter have introduced financial viability into Central Government planning policy and guidance and the concept of a competitive return as a material consideration in the determination of planning applications.
97. Further to this the NPPF sets out the changes affecting the ability of local authorities to deliver affordable housing, which for example, includes the introduction of the Affordable Rent product whereby rents of up to 80% of Market Rent can be charged, the reduction of grant funding for affordable housing and the introduction of the Community Infrastructure
98. Paragraph 173 highlights that Local Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. In light of this the Council should in my view be mindful that that application site specific policy and other related policies were developed prior to the financial crash of 2008 and as such the deliverability of this site and any obligation need to be considered in light of current market conditions.
99. In terms of design Central Government advocates that the local planning authority should not seek to dictate architectural style particular tastes and should not seek to stifle innovation, originality. Decisions should focus on the overall scale, density, massing, height, landscape, layout, materials. Decisions should also seek to promote or reinforce local distinctiveness where possible.

National Planning Practice Guidance (NPPG)

100. Paragraphs 23 – 28 set out those aspects of design that local authorities should consider as a minimum. These are:
- layout – the way in which buildings and spaces relate to each other
 - form – the shape of buildings
 - scale – the size of buildings
 - detailing – the important smaller elements of building and spaces
 - materials – what a building is made from

101. Government advice goes on to highlight that the quality of new development can be spoilt by poor attention to detail. Careful consideration should be given to items such as doors, windows, porches, lighting, flues and ventilation, gutters, pipes and other rain water details, ironmongery and decorative features. It is vital not only to view these (and other) elements in isolation, but also to consider how they come together to form the whole and to examine carefully the 'joins' between the elements.
102. In terms of materials they should be practical, durable, affordable and attractive. It is noted that choosing the right materials can greatly help new development to fit harmoniously with its surroundings. They do not have to match, but colour, texture, grain and reflectivity can all support the creation of harmony in the townscape.

DCLG: Accelerating Housing Supply and Increasing Tenant Choice in the Private Rented Sector: A Build to Rent Guide for Local Authorities

"Build to Rent housing can help to fix the country's broken housing market by providing another source of good quality housing supply which can also accelerate the speed of housing delivery."

The Government has introduced a number of initiatives to kick-start the sector but ultimately, it needs to stand on its own two feet without fiscal support. Local Authorities are critical to the establishment of Build to Rent housing over the long-term. They have the powers to support the sector's development under the National Planning Policy Framework and on its own land and there are an increasing number of Local Authorities who are actively supporting its development. Dialogue between Local Authorities is encouraged. This guide aims to help Local Authorities to develop their understanding of this housing sector. It also seeks to provide a further catalyst for a sustainable supply of Build to Rent housing schemes. This will not only meet the growing demand from long-term institutional investors but it will meet the needs of tenants who are the ultimate beneficiaries of the Government's Build to Rent initiatives."

DCLG: 2010 to 2015 government policy: rented housing sector

"Issue

There are 1.8 million households on waiting lists for social housing. We must ensure people can get accommodation that meets their needs both in terms of quality and cost."

“Appendix 9: private rented sector

The private rented sector has grown and improved enormously in recent years and accounts for approximately 16.5% of all households, or nearly 3.8 million homes in England.

The private rented sector offers a flexible form of tenure and meets a wide range of housing needs. It contributes to greater labour market mobility and is increasingly the tenure of choice for young people.

The government wants to see a bigger and better private rented sector and believes that the most effective way to make rents more affordable is to increase the supply of new homes.

In addition, a new model tenancy agreement is being developed, which will provide tenants with a clear guide to rental contracts. This will enable tenants to identify which clauses in their agreement are optional or unique to that property, helping them to negotiate longer fixed-term tenancies and demand greater certainty over future rent rises.”

Assessment

103. The main issues for consideration are:

- (a) The principle of the proposals, i.e. how the redevelopment of the site fits within the existing local and national planning policies in terms of use and location;
- (b) Whether the proposals are acceptable in terms of affordable and mix of housing;
- (c) The quantum of parking provision and impact of the development on the local highway network
- (d) The design quality of the scheme and the impact on the visual character of the surrounding area;
- (e) Whether the proposed open space / amenity space is adequate to serve the development;
- (f) The impact on residential amenity;
- (g) Whether the proposal is acceptable in terms of flooding and surface water drainage;
- (h) Contamination;

- (i) Ecology;
 - (j) Sustainable construction;
 - (k) Development Viability;
 - (l) Planning Obligations;
- a) The principle of the proposals i.e. how the redevelopment of the site fits within the existing local and national planning polices in terms of use and location.
104. The development of this site has featured in the Council's development plan for several years, through the adoption of its Core Strategy in 2008 and the Ashford Town Centre Area Action Plan (ATCAAP) in 2010. Furthermore, planning permission was granted on the site (for a substantially larger development) on appeal in July 2008. Indeed, the allocations in the ATCAAP are informed by the previous planning permission and establish that residential development, as well as a multi-storey car park, food retail, complementary comparison retail and small-scale office uses, are acceptable in principle on this site.
105. Taking the Core Strategy first, policy CS1 states that sustainable development and high quality design are at the centre of the Council's approach to deciding planning applications, referring specifically to making the best use of previously developed land to help regenerate urban areas. It also advocates a balance between residential and employment development, and on large sites a mix of uses in order to serve the community and meet local needs. Policy CS2 indicates that large scale developments should be located in the growth area and in particular the town centre and Policy CS3 goes on to say that development which would help revitalise the town centre will be supported in principle. Under policy CS15 the Council seeks to promote public transport and other non-car based modes of travel, which will be achieved through SMARTLINK and parking restraint in areas with good public transport. It goes on to say that three park and ride facilities will be provided on the outskirts of Ashford and three multi-storey car parks will be provided in the town centre.
106. The ATCAAP was prepared having regard to the guidance in the Core Strategy. Policy TC1 complements the general objectives in the Core Strategy and applies to all developments in the town centre. One of the objectives is to create a balance and mix of uses within sites and around the town centre as a whole that helps to generate a varied and interesting urban environment that best meets the needs of all its users.
107. The application site is specifically covered in ATCAAP Policies TC10, TC12 and TC13. The site forms part of the Southern Expansion Quarter (TC10),

which states that the Quarter should accommodate a large amount of development, primarily residential with a limited retail, leisure, commercial and community-related uses also being acceptable in principle, together with a 500 space public car park. The Policy goes on to say that all proposals in this Quarter will need to demonstrate that they would create an attractive urban neighbourhood set in high quality public realm, based around Victoria Road and with easy access to the town centre core and the riverside open spaces.

108. Plot 1 is covered by Policy TC12 specifically, and requires that any proposal provides a 500 space car park within any initial phase of development, and notes that residential, food retail and complementary comparison retail space are also appropriate. Policy TC13 deals with Plots 2, 3, 4 and 5 and allocates it for residential development, providing a variety of different unit types and sizes with development fronting onto Victoria Way and the river corridor.
109. Overall, the ATCAAP promotes the creation of an attractive and safe urban environment with a strong sense of place by the high quality design of buildings and public spaces; and the creation of attractive and vibrant main streets with appropriate building forms and proportionate heights. Paragraph 1.20 of the ATCAAP high lights that a growing and busy town centre is likely to attract young people, childless couples and single people of all ages and that the Council will need to support developments that propose non-family housing and can support this market within the town centre. The thrust of Paragraphs 1.42 and 1.55 of the ATCAAP is to create a vibrant and active town centre through life at street level, a mix of uses and encouraging a greater number of people into the town centre, at differing times of the day, complementing other town centre uses to support existing businesses and attract new ones. Paragraph 2.114 identifies development along Victoria Road as adding a new addition to the Town Centre through the creation of a vibrant, cosmopolitan and dense neighbourhood.
110. The proposed development comprises 660 residential units, a small retail kiosk/café unit and a surface level car park (116 spaces). 400 residential units are proposed in the form of Private Rented Sector (PRS) housing, with the remainder (260) being market housing for sale. I deal with the issue of PRS housing in the next section of my report and within the detailed design of the proposal in section However, the proposed development would, in my view, create high quality, new residential areas that provide crucial regeneration of this town centre site, which is well related to existing infrastructure and facilities. In principle, the use of the site for mixed housing with a retail unit is in compliance with the broad thrusts of the ATCAAP policies.
111. The application only provides a surface car park of 116 parking spaces and this is to be delivered prior to the first occupation of either Plot 1 or Plot 2. This is less than the 500 space car park policy TC12 requires, so the

application is contrary to that policy. The larger car park is not being provided due to development viability issues, which are discussed below.

112. The car park land is to be transferred to the Council when laid out and it would be possible for the Council to provide a larger car park in the future. The applicant has demonstrated that at least a 322 space multi storey can be provided on the car park land and a connection to the footbridge provided so the proposed residential development does not prejudice the delivery of a multi-story car park on the site at a later date.
113. The NPPF highlights that the planning system should do everything it can to support sustainable economic growth (paragraph 19), ensure the vitality of town centres by recognising the important role that residential development can play, (paragraph 23), while promoting sustainable transport (paragraph 29). I consider that the proposed development, which in my view is of a high quality design, would be the first scheme to regenerate this part of the town centre with new buildings and landscaping and is therefore NPPF compliant. In my view this is a material consideration that warrants overriding the requirement to provide a larger car park at this time.
114. I therefore conclude that the development generally accords with the development plan and government guidance in the NPPF and that it is acceptable in principle.
- b) Whether the proposals are acceptable in terms of affordable housing and mix of housing
115. The NPPF states that local planning authorities should set policies for meeting the identified need for affordable housing on site unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified, and the agreed approach contributes to the objective of creating mixed and balanced communities.
116. Core Strategy policy CS12 requires the provision of no less than 30% affordable housing on a site such as this in the growth area, with a proportionate split of 60% social rented and 40% as other forms of affordable provision. CS12 states that affordable housing should be provided on-site and only in very exceptional circumstances would contributions to make equivalent provision elsewhere be acceptable. The applicant is not proposing any affordable housing nor a commuted sum towards off-site provision for reasons of viability. The application is therefore contrary policy CS12.
117. The proposed development would provide 400 Private Rented Sector (PRS) flats on Plots 1 and 2, with a mix of market flats and houses on Plots 3, 4 and 5. Providers of PRS housing charge a market rent and therefore PRS does not fall within the definition of affordable housing. No other conventional form

of affordable housing is proposed, however, National Planning Practice Guidance (provided by Central Government), acknowledges the contribution that PRS housing has in providing housing for long-term rental and in improving the diversity of housing to meet local needs. It goes on to highlight that the economics of such schemes differ from build-to-sale and should be determined on a case-by-case basis. To help ensure these schemes remain economically viable - while improving the diversity of housing to meet local needs, NPPG suggests that local planning authorities should consider the appropriate level of planning obligations, including requirements for affordable housing, and when these payments are required. Furthermore, the approach that was endorsed by Cabinet in September 2015 advocates the benefits of PRS on the basis that it would widen the choice of easy access, flexible housing that meets the needs of all sections of the community and is available without the obstacle many people face of raising a very large deposit to secure a place on the owner-occupier ladder. The Cabinet report goes on to say that this product would significantly broaden the housing choices available to residents and be likely to bring important additional benefits in terms of its wider impact helping to boost the town centre economy.

118. There has been a considerable injection of affordable housing into the town centre in recent years, and the PRS market provides an opportunity to diversify the mix of housing there but to also increase the level of spend in the town centre. The Cabinet paper referred to in the preceding paragraph made clear that in negotiations on reduced S106 infrastructure for viability reasons, for key strategic town centre proposals with a residential element, the following factors can form part of negotiations with applicants and can subsequently be taken into account by Planning Committee when taking decisions:

- The potential benefits arising from PRS or owner occupied homes for the mix of accommodation in the town centre and the spin-off regenerative benefits that the additional spend from such households will help to create to strengthen the town centre;
- Whether a reduced, or zero level of affordable housing is appropriate in such schemes to help generate certainty around the viability of a specific proposal and to ensure that development takes place and with some urgency.

119. As I explain in detail in paragraphs 185 -188 of my report, Officers have required that independent viability consultants were involved in the S106/viability discussions around the application from the outset, as the applicants identified early on that the development would not be able to bear the full costs of all developer contributions (including affordable housing provision) sought by the Council through the application of relevant policy and SPDs. I would draw Members' attention to this section of my report, as this

explains the issues involved and the conclusions that have been reached, as this has a bearing on this issue.

120. The conclusion is that this scheme can deliver a certain amount of financial contribution, with the exception of any affordable housing sought by the Core Strategy. Whilst this approach is unusual, there are several factors which indicate why it is acceptable in this instance. Firstly, as has been explained above, the NPPG notes the value of PRS schemes and advises that the viability of such schemes is likely to have an impact on S106 contributions, including affordable housing. This approach was endorsed in the Cabinet paper. Secondly, if viability is assured, then it would be more likely to generate an early commencement on site, thereby beginning the regeneration of this part of the town centre at an early stage, with all the accompanying benefits.
121. The Cabinet report highlights that potential benefits arising from PRS or owner occupied homes in both the mix of accommodation in the town centre and the related regenerative benefits that the additional spend from such households could help to create to strengthen the viability of the town centre. The NPPF is clear that such matters should be considered material and taken into account by Planning Committee when taking decisions.
122. In this case, I consider that the regenerative benefits of the development are significant. Since the ATCAAP was adopted, no major new-build town centre development has taken place on any key strategic sites (other than the college site). Development on this site will regenerate this part of the town centre and it is considered will assist in unlocking major private sector new-build investment on other sites in the town, in particular by acting as a signal to other developers. Whilst circumstances for development are more favourable than they have been for the last 5 years, Ashford is in a competitive market with other towns and investors are cautious following the impacts of the recession. It is therefore imperative to secure such substantial initial investment to increase levels of activity and spending which can subsequently encourage other investors into the local market. I am therefore satisfied that in this case, the lack of any affordable housing is acceptable.
- c) Amount of parking provision and impact of the development on the local highway network
- (i) Parking provision
123. Paragraph 3.39 of the AAP states that maximum parking standards should apply to all residential developments within the Town Centre, given the finite and valuable nature of the land coupled with the need for higher density development within the town centre to meet the growth targets. The limited capacity of the town centre's road network, the sustainable location and the

additional impact of the high speed rail services to central London are also factors which justify this approach.

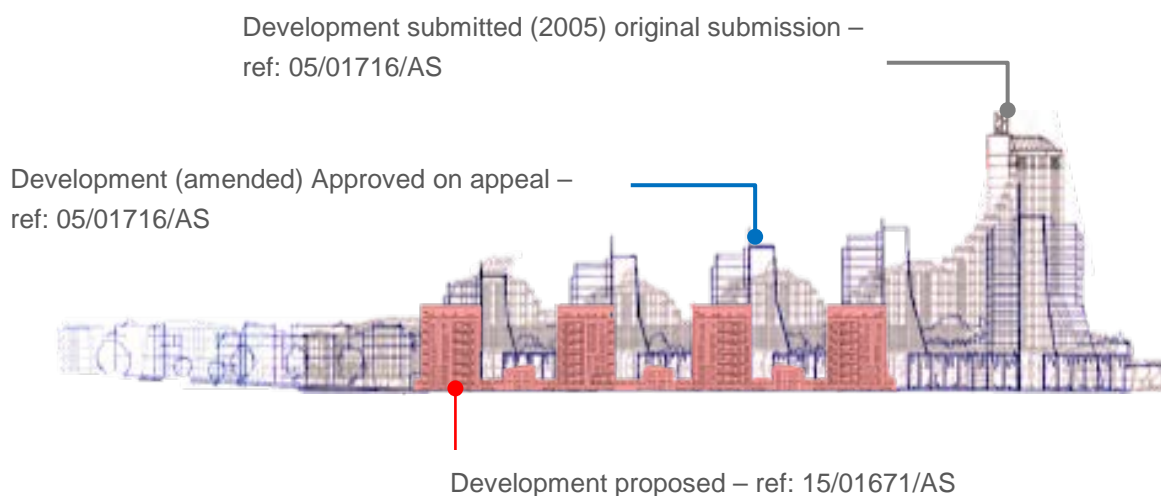
124. Policy TC23 goes on to set a maximum of 1 parking space per dwelling of 3 or less bedrooms. This equates to a maximum of 660 parking spaces. The Residential Parking Standards SPD, also stipulates a maximum parking approach of 1 space per apartment and 1.5 per dwelling house. As a result the SPD stipulates a maximum of 673 parking spaces.
125. The scheme is providing 601 secure spaces for residents which equates to 0.91 spaces per dwelling. This is only marginally below the maximum allowed by the Parking Standards SPD and the ATCAAP.
126. The number of parking spaces has been increased where possible increasing the overall private provision from 0.78 to 0.91. In addition, the scheme provides a new public car park, which if considered as contributing to residents needs, increases the average provision to more than 1 space per dwelling.
127. The policy background which underpinned policy TC23 of the ATCAAP was a direct consequence of the level of development envisaged by the Core Strategy and latterly the ATCAAP. In fact policy TC25 envisaged 2 x Park and Ride facilities on the periphery of Ashford and 3 x Multi-storey car parks in the Town Centre.
128. The review of the Local Plan, which would replace the Core Strategy and ATCAAP, is likely to envisage a lesser quantum of overall development in the Town Centre and as a result is it likely that the overall parking strategy would require fewer spaces.
129. It is important that the needs of visitors to the development who travel by car are adequately met. The Residential Parking and Design Guidance SPD recommends that visitor parking either be primarily off-plot in short stay car parks or on-plot at 0.2 spaces per dwelling in major residential schemes where layout permits. The application includes a new 116 space public short stay car park. The scheme is also within walking distances of existing and planned town centre car parking. I acknowledge that the applicant is providing less than the 132 visitor spaces recommended by the Parking Standards SPD and that the car park will be available not just to visitors but to the general public as well. The SPD is clear however, that the 0.2 provision is subject to layout constraints. Given that the proposals are seeking to provide the maximum allocated parking and 87% of the recommended visitor parking, I am satisfied that the level of parking provided is adequate for this sustainable location.
130. I therefore consider that the parking provision is acceptable.

(ii) Impact on the surrounding highway network

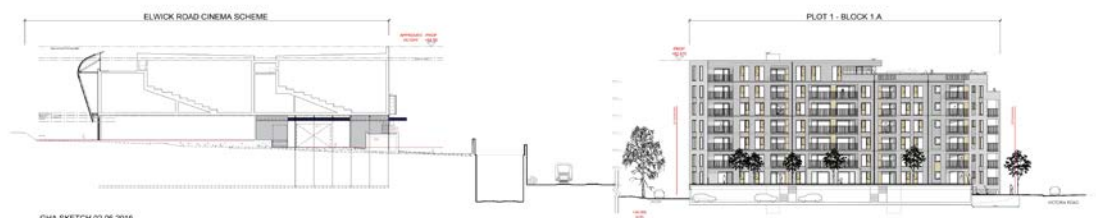
131. Policy CS15 requires development proposals to show how all highway needs arising from the development would be satisfied. It says further that developments which would generate significant traffic movements must be well related to the primary and secondary road network, and this should have adequate capacity to accommodate the development. Intensified use of existing accesses onto the primary or secondary road network are not permitted if a materially increased risk of road traffic accidents or significant traffic delays would be likely to result.
132. The proposals would involve the use of the existing accesses to the site off Victoria Road that were constructed to meet the needs of the previously permitted scheme and a new access off Gasworks Lane. The application has been accompanied by a Transport Assessment, which has assessed existing capacity, and committed developments within the Town centre.
133. Subject to the off-site highways mitigation proposed in Appendix 2, being implemented prior to the occupation of 100 dwellings, i.e. before the development begins to have a material adverse impact on the existing highway network, the Highways Authority have confirmed that they are satisfied that the development would not result in increased risk of accident, congestion or delay. In light of this I recommend that the development be subject to a condition requiring no more 100 occupations to take place until the works have been provided.
134. I therefore have no objection to the proposals in terms of its impact on the surrounding highway network.
135. I note the comments of Engineering Services regarding potential overspill onto neighbouring streets – especially as Leacon Road and Victoria Way are subject to double yellow lines. Given the convoluted route that would need to be taken by new residents and visitors alike to utilise the existing local residential streets, it is my view that it is unlikely that significant additional pressure on the street network would occur. That said there is an existing problem which a limited amount of overspill parking could heighten. This being the case, whilst I don't consider it appropriate for this development to contribute the full amount to implement a Controlled Parking Zone (CPZ) to resolve an existing problem it is reasonable to contribute towards the consideration of a new CPZ. The cost of consultation is circa £5,000 and the applicants have agreed to contribute this amount.

d) The design quality of the scheme and the impact on the visual character of the surrounding area

136. Notwithstanding the image below which highlights the difference in scale between the expired appeal proposals on Plot 1 and those currently under consideration, it is necessary to consider the scale of the proposed development on its own merits.



137. The site is prominent in the wider urban scene, particularly from the direction of the town centre as a result of the slight rise in ground level towards the western end.
138. Until very recently the visual character of this area was informed by the presence of the former gas holder. The gas holder as a physical structure was the equivalent of 7-8 storeys in height and was visible over a wider area of Ashford from all directions. Plots 1 -3 and 5 are commensurate in height with this former structure.
139. In relation to the surrounding context, including County Square and the opposite buildings on Elwick Road, the height of the proposed building would not exceed those along Elwick Road, and would appear in proportion when viewed from the south.



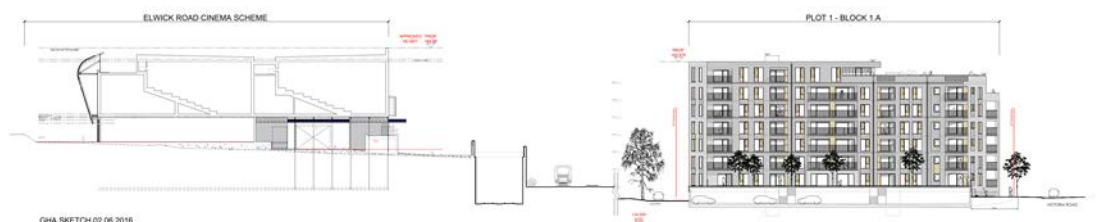
140. The scale of the development is such that the northern plots are taller masking the railway lines. The development steps down toward the river side to be commensurate in height with the existing residential development surrounding Victoria Park.
141. The railway provides significant physical and psychological barrier to the town centre. The development on plot 1 reflects its relationship to the railway. The provision of gaps between the blocks on Plot 1 in the form of the landscaped podiums avoids creating a visual barrier creating vistas of the church from the park thus retaining visual connectivity between two historic areas of the town. The buildings proposed on Plot 1 would extend to 8 storeys or 25m high. The height of the buildings is considered appropriate given its relationship with the railway cutting, buildings to the north, planned multi-storey car park and former structures such as the gas holders.
142. The decision to have four finger blocks end on to the street should ensure that, whilst an appropriate level of street enclosure is provided as required by policy, the built form would not present a single 100m long elevation to the street, thus limiting the impression of scale in the street.
143. The buildings features a number of important design elements that would set it apart from historical references and break-up the bulk of the buildings, to avoid creating a monolithic appearance, as required by TC10. These include the provision of large windows, varied roof line, high quality and varied materials pallet, recessed balconies and decorative brick detailing
144. The development would help visually tie south Ashford with the town to the north and hide some of the less appealing aspects of the current street scene.
145. Generally the proposals provide a distance of 24m between Plot 1 and Plot 2. When combined with the heights of the building I am satisfied that from a pedestrian perspective the development and the street would be suitably proportioned with the buildings seen to sit comfortably within the street scene, creating a pleasant environment to both move through but more importantly to spend time in.

146. The buildings in Plot 2, which range between 6 (19m high) and 7 (22m) storeys are arranged to screen the substation on approach from the west. End elevations would face onto the river corridor thus minimising their bulk and scale when viewed from Victoria Park. It should also be noted that they are extensively screened by trees, which sit on the southern side of the river and on land within the Council's control.
147. The development on Plots 3 – 5 are proposed to taper down from a 7 storey (22m high) corner on the junction of the Victoria Way and the Gasworks Lane path to the Park to the river corridor finishing in 4 storey (12m high) town houses, a form highlighted by local residents, during consultation, as being suitable for this area.
148. These plots also include a new pedestrian bridge to the park contributing to the ability to access and enjoy the northern river bank in accordance with Policy TC13.
149. Whilst I fully acknowledge that the proposals would change the Ashford Town Centre landscape, I am satisfied that the heights proposed are suitable and entirely in accordance with the regeneration aims for this site. In light of the above I am satisfied that policy CS9(a) is addressed by the proposals.
150. Turning to the layout of the development, this is dictated by the existing roads and footpaths as well as the shapes of the plots themselves. The proposals utilise traditional perimeter style development creating strong active frontages to existing movement corridors, as well as a clear distinction between public and private realm.
151. The proposals include windows and doors onto the Victoria Way along with elevated landscaped podiums and street landscaping I am satisfied that this would result in an active street frontage along Victoria Way.
152. The proposed development on the southern sites would provide all units with a view overlooking the river and Victoria Park, maximising the ability of the future residents to enjoy the river corridor. Combined with the 25 town houses directly fronting the river with a new landscaped public footpath in front of them, the proposals make the most of the attractive southerly aspect to the river corridor and Victoria Park.
153. I consider that the provision of additional tree planting to the eastern boundary of the car park would enhance the visual amenity of the Learning Link. The temporary kiosk building would provide activity and facilities in this location enhancing the sense of vitality.

154. Many studies have explored the provision of a new bridge over the railway. The costs involved, as a result of the CTRL, are prohibitive. To require this of this development would further jeopardise the scheme's limited viability.
155. The apartment proposals provide active frontages at ground floor to Victoria Way, and in the case of the kiosk both to Victoria Way and the Learning Link.
156. In terms of layout I am satisfied that the proposals would respect the relationship with existing residential properties in this quarter and beyond, the riverside landscape and its ecology and the Victoria Road primary school.
157. With regard to the detail of the design, the architectural approach adopted is overtly contemporary, with a similar style to that emerging across the country. The proposals feature simple forms articulated with brick textures, contemporary proportions and a simple but varied palette of high quality materials.
158. I acknowledged that the proposals would result in new contemporary urban architecture that would be juxtaposed alongside pockets of traditional built form. In my view this would only serve to give this part of Ashford its own distinct character, aiding legibility and visual interest for residents and visitors alike I support this approach, as it adds variety and interest to the townscape in which it sits, and is appropriate to the uses proposed.
159. The proposals include subtle variations in the building line and elevational articulation such as setbacks, brick detailing, and materials should help ensure a rich architectural appearance and a high quality design.
160. The elevations to the railway provide visual interest in the form of brick detailing, the strong use of windows, as well as their interesting/decorative arrangement. Improvements to the design of all elevations have been sought to enrich the facades and help break down the apparent scale of the development
161. The proposed design approach is acceptable as it would provide highly articulated and active facades, balanced and well-proportioned elevations, bays, which help to break down the In addition the proposals are to be constructed in practical, durable, affordable and attractive materials, which draw on the local tradition of building in brick.
162. A number of reservations have been expressed by local residents concerning the style approach. In my view the comparisons with eastern European architecture and the former flat blocks of Stanhope are unfair and not accurate. Such a comparison may under value and misrepresent the high quality materials chosen, the high degree of visual richness and articulation; not found in the styles highlighted. It would also fail to acknowledge the

traditional British design elements which have been incorporated into the design such as diminishing storey heights

163. The finer details of the scheme such as joinery, porches, doors, rainwater goods, eaves, fascia and entrance canopies etc. would be conditioned as the execution of the scheme in its detailed form would be critical to its success.
164. I consider that the range of facing materials proposed combined with the proposed landscaping, together with the possible retention of one mature existing tree and the provision of public art, are all helpful in creating a pleasant and high quality environment. The incorporation of the large 'Stag' public art installations and the 'Champion Trees' lining the street should help echo and reference the history of Victoria Park and the elements of public realm which have been lost.
165. The landscape materials and specification are high quality and appropriate for this prominent and well trafficked location, and would in my view be complimentary to the buildings, supporting the overall design.
166. The proposed retail pop-up unit is located at the busiest point of the site – the intersection of the learning link and Victoria Way. This would in my view help animate the street and these should be located at the busiest street intersections on the corners of buildings.
167. The boundary of the Ashford Town Centre Conservation Area is located over 200 metres away consisting of the buildings on the northern end of Elwick Road. Given the high quality design and this separation distance I am satisfied that the proposals would not harm the character or appearance of the Conservation Area or its setting.



168. In conclusion, the proposals accord with the objectives of Policy CS1 by providing high quality design of high sustainability standards and would make the best use of previously developed land.
169. The proposed design will be crucial in enabling the Town Centre to grow as envisaged in CS3 and will provide the high quality of design required by policy

CS9. It will also enable the Town Centre to grow as envisaged in ATCAAP and provide a benchmark for the comprehensive and innovative approach to providing the highest quality design.

170. The proposals are substantial and would deliver the opportunity of regenerating an area of land, which is currently seen as unattractive and detrimental to the townscape. The proposals would result in this part of the town centre changing vastly and rapidly, and to this end local resident concern is understandable. However; I am satisfied that the design is well considered in terms of scale and design, and would result in a positive addition to the town centre.
171. The development has been appropriately considered and would secure the provision of a high quality urban street, changing its current character from traffic distributor to an attractive, tree lined environment with a positive impact to the town centre, as well as improving the environment which current residents use.
- e) Whether the amount of open space / amenity space is adequate to serve the development
172. The Council's Public Green Spaces and Water Environment SPD establishes the quantitative, qualitative and accessibility standards of green space and water environment provision to be applied in new developments. In doing so, one of its objectives is also to provide an appropriate balance between the provision of new open spaces on and off-site, and the enhancement, where appropriate, of existing open spaces and services so the needs and aspirations of local communities are met.
173. There is a significant shortfall between what is being provided and what the SPD requires, in terms of sport, informal/natural, play, strategic parks and allotments on the site. The proposal would provide approximately 0.7ha of private open space in the gardens on Plots 1 and 2, plus the open space in Plots 3, 4 and 5, plus balconies and roof terraces. This is compared to a requirement in the SPD of 7.23ha. In the circumstances, the SPD would require a financial contribution to be made for off-site facilities in lieu of what isn't being provided on site. Because of the viability issues with this development, referred to in the Viability Section of my report, there is only a relatively small amount of S106 contributions which will be attributed to this Council. It is considered appropriate to use these contributions wholly to improve the facilities in Victoria Park, which is in very close proximity to the development, and whilst this is not ideal, there are extenuating planning justifications for doing so.
174. The anticipated occupiers of the PRS units within Plots 1 and 2 are anticipated to be young professionals for whom private open space, which

they have to look after, is not a priority. Such occupiers are more likely to want to use the communal open space within the development, their own balconies or to walk over the river to use Victoria Park. The occupants of the units on Plots 3, 4 and 5 would benefit from shared green spaces in the central swale, a new pedestrian route along the north of the River Stour and a new bridge link to Victoria Park. The proximity of Victoria Park in terms of the visual and physical link should not therefore be underestimated. Masterplanning work is currently being done on ways to improve the facilities in Victoria Park, and the financial contribution from this development will be a useful contribution in this regard.

175. The vision in the ATCAAP for the Southern Expansion Quarter is for Victoria Way to be an urban boulevard, and for a large amount of new development to be accommodated. The polices in the ATCAAP were based on the appeal proposal for the Powergen site which incorporated significantly more development than is now proposed, with a similar arrangement in terms of the provision of open space. Given the parameters of development envisaged in the ATCAAP, it is difficult to see how more open space could be provided on site, although since the application was submitted, discussions with KCC have secured the inclusion of two pieces of their land within the red line boundary – one is the stretch of land adjacent to Leacon Road, to the north of Plots 3, 4 and 5, and the other is a triangle of land between Plots 2 and 3. Both will be used for amenity purposes within the development, and whilst they do not make up the short-fall, it is a small improvement over what was originally envisaged. Of course, the SPD would then require a financial contribution to compensate for the undersupply off-site, but the viability assessment that has been carried out has demonstrated why a full contribution will not be forthcoming.
176. In conclusion therefore, whilst the situation is not ideal, given the circumstances of this particular case, and the nature of PRS developments, it is considered that the proposed off-site contribution is acceptable.
- f) The impact on residential amenity
177. The site is some distance from any residential properties, the closest being in Jemmett Road, Bowens Field and Hillbrow Road to the south and south west. They are separated from the development by Victoria Park, so I do not consider that there would be any harm to residential amenity as a result of the built development. Vehicular access to the site would be via Leacon Road and Victoria Road, which primarily serve existing commercial and industrial uses, so the increase in traffic would not impact on any residential uses.
178. The proposed car park would be run and maintained by the Council and would also be subject to CCTV observation. The CCTV proposals have been

developed in combination between the Council's monitoring centre and the applicants.

179. I am satisfied that subject to appropriate use that the car park itself would not result in an adverse impact on nearby residents.

g) Is the proposal acceptable in terms of flooding and surface water drainage

180. The NPPF advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. The part of the site to the south of Victoria Road is located within the undefended functional floodplain (flood zone 3b) as defined by the 20 year (5% Annual Exceedance Probability), undefended fluvial flood extent, This is however a site allocated for development in the Ashford Town Centre Area Action Plan, and planning permission was granted on appeal by the Secretary of State in 2008 for a development of significantly larger scale than is now proposed.

181. The applicants have worked closely with the Environment Agency to provide an acceptable solution for the proposal on the southern part of the site. and, as the site is defended by Hothfield Flood Storage Reservoir, the Environment Agency has taken a pragmatic view to use the defended 20 year (5% AEP) flood extent to define the functional floodplain (Flood zone 3b) in this case. In addition, the applicants' consultants have undertaken further modelling in consultation with the EA, and this has demonstrated that the site is not at risk of fluvial flooding during the defended 20 year (5%AEP) event. During larger events, the development has been designed to allow flood water from the Great Stour to enter onto the site and into the swale, designed to act as fluvial floodplain storage on the site. The Environment Agency has determined in light of the above and the FRA addendum that the site is not at risk from fluvial flooding during the 20 year event. In addition the EA is satisfied that sufficient flood storage capacity exists within the site and existing floodplain to ensure that the development would not result in increased risk of localised or downstream flooding. The EA recommends the imposition of a number of conditions, and subject to this, I am satisfied that the requirements of the NPPF are met in terms of flooding.

182. With regards to drainage issues no objection is raised by Southern Water and the Environment Agency. The Council's drainage officer raises no objection to the scheme subject to a condition requiring final details of a sustainable drainage system to serve the site.

183. Policies CS1, CS19 and CS20 of the Core Strategy require all development to respect the limits of the local environment, including the efficient use of

natural resources and minimising downstream flood risk. I am satisfied that the surface water drainage proposals are well considered and comply with the aims of local policy.

184. The fine detail of the proposed arrangements can be reasonably secured by planning condition as requested by the EA and Council's Drainage Engineer.

h) Contamination

185. The site investigation report has discovered some contamination on the site following the previous industrial uses. Both the Environment Agency and Environmental Health Manager raise no objection subject to a condition requiring the submission of a remediation scheme to deal with contamination found on the site.

i) Ecology

186. KCC Ecology objected to the development initially, and since then the applicant's ecology advisors have been working to overcome the objection. Following discussion with the developers ecologist, KCC Ecology now raises no objection subject to conditions requiring the mitigation proposed within the supporting ecology report to be undertaken including the translocation of reptiles from the site.
187. The applicant has proposed this and has agreed to conditions to this effect.
188. I am satisfied that the development would not result in harm to protected species.

j) Sustainable Construction

189. Core Strategy Policy CS10 and the adopted SPD (2012) require such developments to reduce by 10% carbon dioxide emissions through on-site sustainable energy technologies. The applicant confirms that the design approach taken to the development would enable these requirements to be met. The Code for Sustainable Homes standard is no longer required, as that standard no longer exists.
190. The applicant's feasibility study concludes that the installation of an Air Source Heat Pump and Combined Heat and Power systems present viable solutions for meeting a reduction in carbon dioxide emissions and the energy reduction credits element of Policy CS10. In respect of Plot 1 & 2 this is secured by the plans and condition. In respect of Plot 3 the final method for reducing carbon dioxide emissions this is subject to further assessment at the detailed design stage.

191. In terms of carbon neutrality, the applicant would need to be obligated to make a Policy CS10 based carbon off-setting contribution if the combination of all other measures does not achieve a carbon neutral development. For viability reasons no such contribution is being sought. Through negotiation the LPA has secured additional tree planting in the public car park exceed and the high levels of public realm landscaping would assist in carbon treatment whilst bringing very real environmental benefits in reducing heat island effects and providing shade in summer.

k) Development Viability

192. Policy CS18 requires that infrastructure and facilities to meet the needs generated by new development should be provided, and that these should normally be provided on-site. From the start of negotiations on this scheme however, the applicant identified that the development would be unable to bear the full costs of developer contributions sought by the Council through the CS policy. The applicant was therefore advised to submit a viability assessment, which the Council has had reviewed by an independent viability consultant.

193. During the course of consultation the following requests for contributions were received by the Council:

- Kent County Council - £760,584.46
- Sport England - £306,649
- ABC Open Spaces - £ 2,774,640.00

194. The conclusion of the Council's viability consultant is that, taking into account the purchase price of the land, the revenue generated by the proposed development and all associated costs, and a profit margin slightly lower than would normally be expected by a developer, the scheme can only allow S106 contributions of £250,000. This is significantly lower than what would normally be sought through Policy and SPD requirements. Through negotiations with the applicant, it has been agreed between the parties, that the contributions would be increased to £550,000. This is therefore in excess of what the viability exercise demonstrated but is achievable because the applicant is willing to take a further reduced profit in this instance. Those contributions, as set out in Table 1 at the end of my report, would go towards KCC requirements (principally education at their request) and ABC for open space. KCC had requested a significantly larger amount of money for S106 requirements, the majority of which would go towards both primary and secondary education – they say that the money would be spent on a modular 2 classroom extension at Repton Park Primary School and new accommodation at Highworth School in the town centre. Whilst KCC has

applied its standard formula for working out school places, it is considered that in the case of PRS accommodation, it is unlikely to attract a significant number of adults with children. It is more likely to attract young professional people at the start of their careers. Notwithstanding this, it is accepted that there will be a need for some additional primary and secondary places as a result of this proposal, and it is for this reason that half of the financial contribution that is available, is to go to KCC to be used for education purposes as this is their stated priority area. Given the location of the site next to Victoria Park and the valuable asset to the town centre that it is, it is considered that the benefits of spending the remainder of the available contributions upgrading it are significant to residents of the scheme. It is my view that to split the available S106 contributions in this manner is the most appropriate in the circumstances. It is the advice of the Council's viability consultant, that the costs of affordable housing and any additional S106 obligations would make the scheme unviable.

195. It is noted that the development is not proposing to meet the contributions recommended by Sport England. Having discussed this with the Council's Cultural Services Manager it not considered that, with the exception of swimming pools, there is insufficient capacity to absorb the new residents. In the case of swimming pools, the latest studies suggest that the Borough and not just Ashford Town, is 1.6 swimming lanes short of present demand. Sport England have identified that the development would require the provision of 0.03 swimming pools. Whilst the development would add additional pressure to swimming provision it is not considered that the required 0.03 would materially harm the ability to access swimming facilities. In addition the Stour Centre is reviewing their programme to assess whether more capacity is presently available. In any event the development is not viable and to request such contributions would place in jeopardy the viability/deliverability of the scheme and much needed regeneration.
196. It is appropriate to look at a planning justification for recommending a scheme that does not meet its full share of developer contributions. It is an imperative for the Council that regeneration schemes in the town centre come forward as quickly as possible, as reflected in the Cabinet paper referred to in Section (a) of my report. The town centre has suffered a decline in the past few years and the retail market is unlikely to be strong enough on its own to generate investment in the short term. A way of increasing the amount of money spent in the town centre however is to increase the number of people using the town centre. This site, with pedestrian access directly into the town centre is seen as one of the key drivers for improving spend in the town centre and attracting further investment. Furthermore, the younger demographic likely to be attracted to a PRS scheme such as is proposed here is typically high spending in the local area and would help to boost the town centre and the range of attractions it offers. New housing development, particularly in the town centre has been slow to come forward and the continuation of housing

growth is a significant material consideration particularly given the guidance in the NPPF. The Council's viability consultant agrees that the proposal is at its limit in terms of the S106 contributions now being offered. Given NPPF advice in respect of PRS housing (in terms of both the actual form of accommodation and the economics of providing it), and the Cabinet Paper in September 2015, it is considered that there are appropriate material considerations in this instance to forego any affordable housing and to recommend the scheme where it does not meet its full share of developer contributions.

197. It is important to note as well, that the lack of full S106 contributions does not come at the expense of the quality of the development. As highlighted in the introduction and summary section of my report, the proposed development has been the subject of extended negotiations, including Design Review and Member presentation. It is anticipated that the provision of a high quality development, with an early implementation, will allow the market to continue to strengthen, thus having very positive benefits for the town centre as a whole. It is therefore considered that in this instance, there is a justification in planning terms for recommending the reduced amount of S106 contributions.

Planning Obligations

198. 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
199. 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	<p>Primary Schools</p> <p>Towards Repton Park Primary School</p>	£137,500	<p>Apportioned payments upon first occupation of each plot as follows:</p> <p>Plot 1 £53,000 Plot 2 £30,000 Plot 3 £26,000 Plot 4 £5,000 Plot 5 £23,000</p> <p>Necessary as no spare capacity at any primary school in the vicinity and pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF21, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend primary school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				into account the estimated number of primary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.
2.	Secondary Schools Towards Highworth School	£137,500	Apportioned payments upon first occupation of each plot as follows: Plot 1 £53,000 Plot 2 £30,000 Plot 3 £26,000 Plot 4 £5,000 Plot 5 £23,000	Necessary as no spare capacity at any secondary school in the vicinity and pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF21, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF. Directly related as children of occupiers will attend secondary school and the facilities to be

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of secondary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly</p>
3.	<p>Open Space</p> <p>Enhancements of Victoria Park to provide for the needs of the occupants of the development</p>	£270,000	<p>Apportioned payments upon first occupation of each plot as follows:</p> <p>Plot 1 £105,000 Plot 2 £59,000 Plot 3 £51,000 Plot 4 £10,000 Plot 5 £45,000</p>	<p>Necessary as Victoria Park is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2, CS18 and CS18a, Urban Sites and Infrastructure DPD policy U24 (if applicable), Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>Directly related as occupiers will use strategic parks and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and</p>
4.	<p>On-street Parking measures</p> <p>Contributions towards the consultation of a CPZ or towards measures to enforce parking breaches</p>	£5,000		
5.	<p>Provision of public car park</p> <p>Provision of functional public surface carpark, services to the boundary and transfer of the car park to the Council</p>		On first occupation	<p>Necessary in order to ensure that provision is secured and the long-term use as a public carpark and benefit is secured.</p> <p>Directly related as the car park is required by policy</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
			Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored
6. <u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking	£250 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years	<p>Necessary in order to ensure the planning obligations are complied with.</p> <p>Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored</p>
<p>Notices would 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 council web site 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

200. 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

201. 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.

Conclusion

202. It is acknowledged that the development does not provide all of the contributions ordinarily required nor does it comply fully with all of the site policies - as the scheme does not provide the full 500 space multi-storey carpark, any affordable housing or sufficient visitor parking. I can only conclude therefore that the development is contrary to development plan policies. The non-compliance of the proposal is a consequence of development viability on what has been and remains a very difficult site to develop. In addition the policies that the scheme falls foul of were in the main conceived in a much stronger and robust economic environment.
203. Against this and in the development’s favour, the proposal brings forward the beginning of the Town Centre regeneration in the Southern Expansion Quarter, which has been a long term aspiration of the Development Plan and Council, resulting in significant benefits to the local economy, in the short and longer term through the construction phase and with increased spend in the town centre – directly benefitting existing and future businesses.
204. The development would not result in a significant increase in traffic movements and as a result would not materially increased risk of road traffic accidents or significant traffic delays would be likely to result.
205. The proposals would provide a unique and high quality design that responds to the site and delivers a contemporary form of architecture which should add to the character and appearance of the street scene.

206. The proposals do not provide the full amount of open/amenity space that the development plan would normally require however on a town centre site this was always going to be difficult. To address this, the development would include a contribution towards investment in Victoria Park to mitigate any adverse impact the additional pressure on the park.
207. The proposals would not result increase or worsen the likelihood of localised or downstream flooding and all dwellings would be provided with a safe means to leave their properties in the event of a severe flood. The EA has no objection to the proposals.
208. The development would not have an adverse impact on any protected species subject to the mitigation proposed.
209. In terms of construction the proposals would be designed to meet energy efficiency/performance targets of both Central and Local Government Policy.
210. In light of the above, it is considered that the benefits of approving the application significantly outweigh the deficiencies of the proposal, and that there are other material considerations that indicate that planning permission should be granted. It is therefore recommended that permission be granted subject to a s.106 agreement and the conditions set out at the end of the report.

Recommendation

- (A) Subject to the applicant first entering into a Section 106 agreement/undertaking in respect of planning obligations as detailed in Table 1, in terms agreeable to the Head of Development Strategic Sites and Design or the Joint Development Control Managers in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Head of Development, Strategic Sites and Design or the Joint Development Control Managers to make or approve minor changes to the planning obligations and planning conditions (for the avoidance of doubt including adding additional conditions or deleting conditions), as they see fit.
- (B) Permit/Grant Outline Planning Permission

Subject to the following conditions and notes:

Phasing

1. Prior to the commencement of the development a phasing plan setting out the phasing and programming of the approved development shall be submitted to and approved in writing by the Local Planning Authority.

No changes to the phasing and programming of the development shall take place until such time as details of the revised phasing and programming are submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be completed in accordance with the most recently approved phasing plan and programme.

Reason: In the interests of the proper planning of the development.

Implementation Period

Full Planning Permission Plots 1 & 2

2. The development to which this permission relates must be begun on Plots 1 and 2 not later than the expiration of **two** years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. All development on Plots 1 and 2 must be completed and available for occupation within 5 years of being commenced.

Reason: In order to ensure the economic benefits of the scheme are realised given the viability issues that have been raised.

Outline Planning Permission - Plots 3,4 & 5

4. Approval of the details of the landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development on Plots 3, 4 and 5 commences (excluding demolition or remediation works) and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

5. Application for approval of all of the Reserved Matters for each phase shall be made to the Local Planning Authority not later than the expiration of **3** years from the date of this permission.

The development hereby permitted shall be begun later than the expiration of **2** years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To comply with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Conditions applicable to the Full Planning Permission and the outline Planning Permission

Archaeology

6. i) Prior to the commencement of development in any phase the applicant, or their agents or successors in title, will secure and implement archaeological field evaluation works in accordance with a Written Scheme of Investigation for that phase which has been submitted to and approved by the Local Planning Authority.
- ii) The building(s) within the relevant phase shall not be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the approved Written Scheme of Investigation and a post investigative report setting out the findings of the site investigation has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Construction

7. Prior to the commencement of each phase a Code of Construction Practice for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The construction of each phase shall then be carried out in accordance with the approved Code of Construction Practice for the relevant phase and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003) unless previously agreed in writing by the Local Planning Authority.

The Code of Construction Practice shall include,

- (a) Measures to minimise the production of dust on the phase
- (b) Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s) The measures shall include but not be limited to a BS5228 assessment to protect Victoria road primary school from construction noise and vibration as

recommend by para 8.1.2 of the mere brook environmental noise assessment December 2015.

- (c) Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the phase
- (d) Location of construction compound and design and provision of site hoardings
- (e) Management of traffic visiting the phase including temporary parking or holding areas
- (f) Provision of off road parking for all site operatives
- (g) Measures to prevent the transfer of mud and extraneous material onto the public highway
- (h) Measures to manage the production of waste and to maximise the re-use of materials
- (i) Measures to minimise the potential for pollution of groundwater and surface water
- (j) The location and design of site office(s) and storage compounds
- (k) The location of temporary vehicle access points to the phase during the construction works (including loading and turning of construction vehicles)
- (l) Lorry routing to the site from the M20
- (m) A detailed Site Waste Management plan for reducing construction waste during the building process
- (n) The arrangements for public liaison during the construction works

Reason: To protect the amenity of local residents.

8. No 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 Sunday or Bank Holiday unless otherwise agreed in writing by the Local Planning Authority.

Compliance with approved plans

9. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

10. 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.

11. Prior to first occupation of any residential unit the retail kiosk/cafe unit (Use class A1/A3) and associated parking hereby approved shall be implemented.

Reason: To ensure that the requirements of Policy TC10 are met and to ensure a vibrant and active environment.

Contamination

12. Prior to the commencement of development in each phase, a detailed remediation scheme for the relevant phase to ensure that that part of 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 be submitted to and approved in writing by the Local Planning Authority. The scheme must describe all the relevant works to be undertaken including, the proposed remediation objectives and performance criteria, a schedule of works and site management protocols.

The scheme must 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 development within the relevant phase shall thereafter be carried out in accordance with the approved remediation scheme, unless otherwise agreed in writing by the Local Planning Authority.

Following completion of the remediation scheme for each phase and prior to occupation of any building within that phase, a verification report for the relevant phase, that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land 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.

13. If, during development, contamination not previously identified is found to be present at the site then no further development within the affected phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy for the relevant phase detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: To ensure the protection of controlled waters.

CCTV

14. Prior to the occupation of Plot 1 of the development hereby approved details of a CCTV scheme to provide coverage of the surface car park together with any signage shall be submitted to and approved by the Local Planning Authority in writing and shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public safety and crime prevention.

Foundations

15. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall only be carried out in accordance with the approved details.

Reason: To ensure no unacceptable risk to groundwater.

Ecology

16. Prior to the commencement of the development hereby approved the following addition surveys shall be undertaken to establish the presence or otherwise of protected species:

- (a) A river bank survey to establish the presence or otherwise of Otters,
- (b) A river bank survey to establish the presence or otherwise of Water voles,
- (c) A badger survey to establish the presence or otherwise of any badger setts within the site or within 50m of the site.

The results of the surveys together with any necessary mitigation shall be submitted to and approved by the Local Planning Authority in writing and thereafter the mitigation shall be implemented in accordance with the approved details.

Reason: 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.in the interests

17. Prior to the commencement of the development hereby approved details of an ecology mitigation and biodiversity enhancement strategy in accordance with the Ecological Appraisal at sections 6.6 & 7.1 shall be submitted to and approved by the Local Planning Authority in writing and thereafter implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The details shall include:

- Measures to safeguard retained habitats including boundary trees and watercourses;
- Mitigation strategies in respect of protected species including reptiles and Water Vole;
- Details of habitat provision and enhancement measures to be incorporated under the proposals including native and wildlife friendly planting, grassland seeding and faunal habitat features (including bat and bird box provision);
- Sensitive lighting design to minimise impacts to bats;

- Prescriptions for management of wildlife habitat areas to maximise their value to wildlife in the long-term.

Reason: 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.

18. No vegetation (including trees and shrubs) shall be removed between September and February inclusive except if (i) no more 24 hours before any removal an ecologist has inspected the vegetation to be removed and certified that no occupied bird nests are present or (ii) a buffer zone of at least 5m is created around all occupied bird nests and no vegetation is removed within that zone until the young have fledged.

Reason: To protect breeding birds and their chicks and 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.

Fine detailing

19. Prior to any construction above ground level unless specified to the contrary below the details set out below shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, the development shall only be carried out in accordance with the approved details unless agreed otherwise by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-
- (a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),
 - (b) 1:20 horizontal and vertical cross sections through typical sections of each of the facades sufficient to show the relationship between the façade and those elements of detail to be embedded within the façade as well projecting from it (such as the extent of recessing of glazing and doors in openings created in the façade, the consequential treatment of window reveals, the details of cills and the extent of projecting elements from the façade),
 - (c) 1:100 elevation detailing the locations of all expansion joints in facades.
 - (d) prior to installation - Details of any plant or machinery proposed on the roof and associated screens,

- (e) prior to installation - Details of any satellite dishes or antenna,
- (f) prior to installation - Details of rainwater goods, eaves, fascia and entrance canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials),
- (g) prior to installation - details of vents, louvres, extractor vents, external pipes, meters etc.
- (h) prior to installation - Details of screens and windbreaks,
- (i) prior to installation - 1:50 scale details of the parapet capping,
- (j) prior to installation - Details of external entrance steps, handrails and balustrades
- (k) Details of the acoustic fences to be provided between the buildings on Plot 1 as recommended by Para 8.2.1 of the Merebrook Environmental Noise Assessment 2015

Reason: Further details are required to ensure that the external appearance and fine detailing are of an appropriate high quality.

Flood protection

20. Prior to the commencement of any development within any of Plots 3, 4 and 5 (excluding remediation and demolition) precise design details of the proposed swale its operation and timescales for its implementation shall be submitted to and approved by the Local Planning Authority in writing in consultation with the Environment Agency. Thereafter the swale shall be implemented in accordance with the approved details and timescales.

Reason: Insufficient details have been provided for the design of the swale on the site and the mechanism of how water from the Great Stour will flow into and out of the site. Full design details of this feature should be submitted during the detailed planning submission for Plots 3, 4 and 5. To ensure the swale feature functions in such a way that it will not create or exacerbate flood risk

21. With the exception of Plot 1, the area beneath the podium of Plot 2 and the areas below first floor level of Plots 3, 4 and 5 shall be kept free from future development including any structures or permanent storage which could impede flood flows

Reason: This area is located within the fluvial floodplain and needs to be kept clear to allow for floodplain storage and the movement of flood flows across the site.

22. The minimum finished floor level of the Plot 2 podium and the minimum finished floor level of Plots 3, 4 and 5 shall be above 40m ODN in accordance with the updated FRA (Revision C May 2016).

Reason: To reduce the risk of flooding to the proposed development and future occupants. This level provides sufficient freeboard above the maximum undefended 100 year cc (at 45% increase in flows) flood level for the site.

23. Prior to the commencement of development of any of Plots 2, 3, 4 and/or 5 (excluding remediation and demolition) a scheme to provide appropriate flood storage compensation for the relevant Plot shall be submitted to and approved in writing by the local planning authority in consultation with the Environment Agency. Compensatory flood storage shall be provided in accordance with the volumes specified in 2015S3203-U-N006-1 Level for level floodplain volume assessment V1 (JBA May 2016) unless agreed otherwise by the local planning authority in writing. The approved flood storage compensation shall be implemented as approved prior to occupation of the relevant phase.

Reason: To prevent flooding elsewhere by ensuring a satisfactory scheme for flood storage compensation is provided.

24. Prior to the commencement of development within each of Plots 2, 3, 4 and 5 details of the intended mesh/bars and boundary walls shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the test results from the hydraulic model to determine that the configuration of the mesh/bars and boundary walls will not increase flood risk (e.g. water levels/extents) beyond that of the pre-development case

Reason: To ensure the proposed mesh/bars do not exacerbate flood risk.

25. Prior to the commencement of development within Plots 2, 3, 4 and/or 5 a scheme for the provision and management of an 8 metre wide (measured from the top of the bank) buffer zone alongside the River Great Stour shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme for the relevant Plot and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping.

The scheme for each Plot shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (planting must be native species)
- details demonstrating how the buffer zone will be protected during development
- details of any other proposed built development

Reason: Development adjacent to rivers presents risks and opportunities to the river's ecological value. National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

26. Prior to the commencement of Plot 1 a detailed method statement for removing or the long-term management / control of Monbretia within Plot 1 shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Monbretia during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reasons This condition is necessary to prevent the spread of Monbretia which is an invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

27. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of and in accordance with details approved in writing by the Local Planning Authority in consultation with the Environment Agency.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

28. Any works hereby permitted that have the potential to affect or disturb the banks of the River Stour the bed of the River Stour or the water quality of the River Stour should not take place during the period between 1st December to 1st March in any year.

Reason: To protect brown trout, a salmonid species present in the river, during the spawning season including the period when fry and eggs remain in the gravel.

29. Prior to the first occupation of first of Plots 2,3, 4 and 5, a Flood Evacuation Plan (FEP) for the plots shall have been submitted to and (following consultation with the Environment Agency) approved by the Local Planning Authority in writing. The FEP shall include;-

(i) details of evacuation and access prevention measures to be put in place in advance of and during a flooding event (including barriers and signage),

(ii) a methodology for residents to be kept apprised of such measures, including agreed signage on surrounding highways to direct traffic to alternative facilities, and

(iii) a mechanism for periodic review of the FEP (involving consultation with the Environment Agency in respect of any proposed changes to the FEP) and submission of further iterations to the Local Planning Authority.

Thereafter, the approved FEP and the associated measures therein shall be implemented in full and retained in perpetuity unless the Local Planning Authority has agreed in writing to any subsequent variation or iteration of the FEP.

Reason: The new dwellings are located within land forming part of Flood Zone 3 (functional flood plain). Following a sustained period of inclement weather, the vehicular access may not be suitable for residential egress. Prompt advance action by the applicant through the implementation of an agreed FEP will help prevent and manage risk to life and property and impacts on emergency services and the local economy during such an event

HS1

30. Prior to commencement of each phase of the development the applicant shall provide written evidence to the LPA that a formal process of any necessary approvals between the applicant and HS1 has been entered into and commenced. The approvals process shall accord with the processes set out in the Network Rail (High Speed) Outside Parties Development Handbook Document Reference C/05/OP/32/3002.

Reason: The planning application does not contain the detail needed to identify potential effects upon the integrity, safety, security, operation, maintenance and liabilities of HS1 and HS1 Property

Highways

31. No more than 100 dwellings shall be occupied until the improvements to the Beaver Road/Victoria Way junction and Elwick Road/Station Road junction as set out on Drg 4300472/0100/01 P01.1 or similar as agreed by Kent Highways and Transportation as the responsible Highway Authority.

Reason: To ensure that there is sufficient capacity available within the highway network.

32. (a) Before the first occupation of each phase of development hereby permitted the following works between each building in the relevant phase and the nearest carriageway shall be completed as follows:
- (i) Footways and/or footpaths shall be completed, with the exception of the wearing course;
 - (ii) Carriageways shall be completed, with the exception of the wearing course, including the provision of a turning facility beyond the dwelling together with related:

highway drainage, including off-site works,
junction visibility splays,
street lighting, street nameplates and highway structures if any.
- (b) Non-adopted private roads required for refuse purposes (as set out in drawing 15130-TR003) should be capable of being used by a refuse vehicle in accordance with paragraphs 9.1 and 9.1.1 of Ashford Borough Council's document "Land adoption and public service provision in Ashford – a guide for developers".

Reason: In the interests of highway safety.

33. The final wearing course in respect of footways and/or footpaths and carriageway that is not intended adopted highway shall be applied within one year of the final dwelling in that phase being occupied. Where the carriageway serves more than one phase, the wearing course shall be applied within one year of the final dwelling being occupied in the later phase.

Reason: In the interests of highway safety.

34. (a) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, no street name signage shall be installed within any public highway land unless otherwise agreed to in writing by the Local Planning Authority.
- (b) No dwelling within the relevant phase hereby permitted shall be occupied until a scheme for the provision of all street name signs (whether they are within public highway land or not) for that phase has been submitted to and agreed by the Local Planning Authority in writing (in consultation with Kent Highway Services).

Such scheme shall comprise of the following:-

- (i) Details of the location of all street name signs for the streets within and servicing the relevant phase
- (ii) Details of the precise positioning of street name signs to be attached to the elevations of buildings through submission of a 1:100 scale drawing within the relevant phase;
- (iii) Details of vandal proof fixings for street name signs shown as being affixed to perimeter railings within the relevant phase;
- (iv) Copies of the easements to be granted to the Local Planning Authority in relation to the locations within the relevant phase where street name signs are to be affixed to railings to facilitate the initial installation and periodic maintenance of such signs by the local authority.
- (c) The scheme for the provision of street name signage within the relevant phase shall be implemented (including the grant of easements as referred to in b) iv) above) as approved by the Local Planning Authority prior to the occupation of any dwelling within the relevant phase unless otherwise approved by the Local Planning Authority in writing. Thereafter such street name signage shall be retained unless otherwise agreed by the Local Planning Authority in writing.

Reason: In order to de-clutter and improve the visual appearance of the public realm and to help limit damage to street name signs generally with attendant implications for long term maintenance at public expense.

35. Prior to the occupation of the first dwelling hereby permitted details of the location of two bus stops, bus stop precise design, bus stop clearways and landmark shelters including a timetable for their provision as approved by the Highways Authority in consultation with the operator of bus services to the

development shall be submitted to and approved by the Local Planning Authority in writing. Thereafter such bus stops, bus stop clearways and landmark shelters shall be provided in accordance with the approved plans/details including the timetable for their provision as approved by the Local Planning Authority in writing unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable transport.

36. Not to occupy 600 dwellings until (i) the bridge and riverside route indicatively shown on drawing MHS164.515-G01 have been provided in accordance with details previously approved in writing by the local planning authority and dedicated as a highway for use by pedestrians and cyclists only and (ii) details of the future maintenance of the bridge and riverside route have been approved. To maintain the bridge and riverside route in accordance with the approved details.

Reason: To ensure the bridge and riverside route are provided pursuant to Town Centre AAP policy TC13 and subsequently maintained in the interests of users

Restrictions on Permitted development

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwellings in Plot 4 hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

Reason: To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development and to protect the amenities of future occupiers of the development.

38. The public surface car park as shown on plan MHS164.515-G01 shall be surfaced and landscaped as approved prior to the occupation of the first residential unit within the development.

Reason: In accordance with Policy TC13 of the Ashford Town Centre Area Action Plan to provide town centre and visitor parking provision.

Other

39. Prior to the occupation of the 200th dwelling on the site, a recycling storage area together with storage bins shall have been provided in accordance with details (including future management) which shall have previously been

submitted to and approved in writing by the Local Planning Authority and the facility shall subsequently be retained and operated in accordance with the approved details.

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

40. Prior to the occupation of any phase a details of the resident management and maintenance strategy for that phase shall be submitted to and approved by the Local Planning Authority in writing.

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

41. Prior to the first occupation of Plot 2 hereby approved full details of a landscaping scheme for the landscaped triangle shown on plan MHS164.515-G01 together with a programme/mechanism for its implementation and future maintenance shall be submitted to and approved by the Local Planning in writing unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity and proper planning of area.

42. Prior to the first occupation of Plot 3 hereby approved full details of a landscaping scheme for the highway verge shown on plan MHS164.515-G01 together with a programme/mechanism for its implementation and future maintenance shall be submitted to and approved by the Local Planning in writing unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to comply with Policy TC10 of the Ashford Town Centre Area Action Plan 2010.

43. Prior to the first occupation of Plot 4 & 5 the new pedestrian bridge over the River Stour details of which shall have first been approved by Condition 04 shall be constructed and opened.

Reason: In the interests of complying with Policy TC13 of the Ashford Town Centre Area Action Plan 2010

Parking

44. The areas shown on the approved plans as residential parking areas shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the occupation of the dwelling/s to which they relate, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or amending and/or re-enacting that Order), shall be carried out on those areas

of land so shown or in such a position as to preclude vehicular access to those residential parking space/s.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

45. The approved bicycle storage facilities shall be provided prior to the occupation of the relevant phase of development and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety.

Landscaping

Hard Landscaping

46. (a) No development shall commence above ground floor podium within Plots 1 & 2 hereby permitted until full details of the soft landscape works for each such phase have been submitted to and approved in writing by the Local Planning Authority.
- (b) The full details of the hard landscape works for Plots 1 & 2 shall be submitted to the Local Planning Authority for its approval shall include detailed information including but not limited to proposed finished levels or 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, benches, bollards, gates, footbridges, tree guards, tree grills, kerbs, boat jetty terraces, fishing platforms, play equipment, refuse or other storage units, signs, lighting etc.); and a programme/timescale for implementing and completion of all such works in full for that phase within 6 months following the final occupation of any part of each phase.
- (c) The hard landscaping within each phase shall be implemented in full in accordance with the details and programme approved by the Local Planning Authority.

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

Soft Landscaping

47. (a) No development shall commence within Plots 1 & 2 above the ground floor podium level hereby permitted until full details of the soft landscape works for each such phase have been submitted to and approved in writing by the Local Planning Authority.

- (b) The full details of the soft landscape works for each phase to be submitted to the Local Planning Authority for its approval shall include the planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); details of the planting that is designed to create year round colour; schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation and planting programme/timetable to ensure that all soft landscaping and planting is completed at least prior to the final occupation of any part of each phase.
- (c) All species of plants/shrubs within 500m of any boundary of the Local Wildlife site within the site shall comprise of indigenous species.
- (d) The soft landscaping works within each phase shall be implemented in full in accordance with the details and timetable approved by the Local Planning Authority relating to the relevant phase.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area. Also, to ensure that ecological functionality and protected species population are not impacted by the proposed development and foraging and dispersal routes remain open and connected throughout construction and occupation.

48. No fences or barriers shall be erected around or adjacent to any open water on the site, including all open drains ditches, ponds and streams unless otherwise agreed in writing by the Local Planning Authority.

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

49. If any trees and/or plants whether new or retained which form part of the soft landscape works approved by the Local Planning Authority in accordance with Condition 47 die are removed or become seriously damaged or diseased prior to the completion of the construction works or within a period of 5 years from the completion of construction of the relevant phase such trees and/or plants shall be replaced in the next available planting season with others of a similar size and species, unless the Local Planning Authority gives written consent otherwise.

Reason: In the interests of the amenity of the area.

50. Prior to the occupation of each approved phase a landscape management plan for the relevant phase, including long term design objectives, management responsibilities and maintenance schedules for the landscape areas, other than, privately owned domestic gardens and the timing of provision of management and maintenance of such areas within each phase

shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan for each phase shall be carried out in accordance with the details approved by the Local Planning Authority unless previously agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure the new landscaped areas are properly maintained in the interest of the amenity of the area.

Existing Trees

51. The development hereby permitted shall be carried out in such a manner as to avoid damage to existing trees that are identified for retention in the approved drawings including their root systems, and other planting to be retained by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, and in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement, to the satisfaction of the Local Planning Authority. Such tree protection measures shall remain throughout the period of construction;
 - (b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
 - (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
 - (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
 - (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.
 - (f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

52. In this Condition a “retained tree or shrub” is an existing tree or shrub which is to be retained in accordance with the approved plans and particulars. Paragraphs (a) and (b) below shall have effect within each phase approved pursuant to Condition 1 immediately upon the commencement of the construction of the permitted building operations or the commencement of the permitted use (whichever is earliest) within each such phase until the expiration of 5 years from that date:-

- (a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998 Recommendations for Tree Work.
- (b) If any retained tree or shrub is cut down, uprooted, 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.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

Lighting

53. Prior to occupation of each phase details of external lighting for that phase shall be submitted to the local planning authority and agreed in writing. The details shall include:

- i) Details of the lighting fixtures and location
- ii) Details of the colours of the light
- iii) Hours of operation
- iv) Any proposed colour phasing
- v) Details of compliance with the Institute of Lighting Engineers guidance notes

for the reduction of light pollution

The approved lighting shall be installed prior to occupation of the relevant phase and no further external lighting shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the area, comply with the Council's adopted Dark Skies SPD and to protect the flight path and foraging of bats and birds.

Noise and Vibration Protection

54. Prior to the commencement of each phase (excluding demolition and/or remediation works), details of the mitigation measures required within that phase to protect the approved residential properties from railway and road traffic noise and vibration (in accordance with the strategy set out in Merebrook Report ENA- 19413-15-280 REV B dated December 2015), shall be submitted to and approved in the Local Planning Authority. The approved protection measures shall thereafter be completed before the approved dwellings / development are occupied, and thereafter shall be retained as effective protection.

Reason: In order to protect the occupiers of the dwellings from undue disturbance by noise.

55. Prior to the occupation of each phase, a scheme for the control of noise and vibration of plant within the relevant phase (including mechanical ventilation, refrigeration, air conditioning and air handling units) to protect occupants from noise and vibration to be used shall be submitted to and approved in writing by the Local Planning Authority. This shall then be so installed prior to the first use of the building(s) within that phase. The equipment shall be maintained and operated in compliance to the approved scheme whenever it is operation. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority.

Reason: In order to protect the occupiers of the dwellings from undue disturbance by noise.

Fumes/Odours

56. Prior to the first occupation of each phase, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from the CHP plant, shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises in the relevant phase and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: To prevent the transmission of fumes and odours into neighbouring properties to protect amenity

Drainage – Foul and Surface Water

57. Prior to the occupation of each phase of the development hereby approved the works for the disposal of sewage serving building(s) within that phase shall be provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper sewage disposal and avoid pollution of the surrounding area.

58. Prior to commencement of each phase, a detailed sustainable surface water drainage scheme shall be submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the strategy detailed within the BJB Flood Risk Assessment Report reference 2176/FR01 Rev. B and shown within drawing numbers 2176 – SK601 and SK602 (for plots 1 and 2) and 2176 - SK603 (for plots 3-5). The 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 at rates agreed with the Lead Local Flood Authority, Ashford Borough Council and the Environment Agency.

59. **Reason:** To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficacy of the drainage provisions and to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

60. No building hereby permitted 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 phased 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.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficacy of the drainage provisions and to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

Sustainable construction

61. Prior to occupation of each phase the following details shall be submitted to and approved in writing by the Local Planning Authority for the relevant phase:

- a) In Plots 3, 4 and 5 details of how the development will reduce carbon dioxide emissions to a level 10% below the predicted total energy demand through the use of on-site sustainable energy technologies such as renewables and/or low carbon technologies.

Within three months of each building within any Plot being occupied within the relevant phase, the following in respect of that building shall be submitted to the Local Planning Authority for approval:

- a) 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

Reason: In order to (i) limit the growth in carbon emissions and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources, (ii) seek to achieve a development with reduced carbon emissions through sustainable design features and on-site low and/or zero carbon technologies and (iii) confirm the sustainability of the development and a reduction in the consumption of natural resources, all pursuant to Core Strategy policy CS10, the Sustainable Design and Construction SPD and advice in the NPPF.

62. Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day as measured in accordance with a methodology approved by the Secretary of State.

No dwelling shall be occupied unless the notice for that dwelling of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 (as amended) has been given to the Local Planning Authority.

Reason: In order to set a higher limit on the consumption of water by occupiers as allowed by regulation 36 of the Building Regulations 2010 and

increase the sustainability of the development and minimise the use of natural resources pursuant to Core Strategy policies CS1 and CS9 and guidance in the NPPF.

Visual amenity

63. Without the prior written consent of the Local Planning Authority:

- Notwithstanding the provisions of Parts 2 a - f, 7 a- e, 14 a – d , 16 a - c, of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no development permitted by those parts shall be carried out
- No fixtures shall be attached to the exterior of the building
- No structures shall be placed or installed on the roof of the building

Reason: In the interests of protecting the character, appearance and visual amenity of the important entrance to Ashford.

64. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development shall be carried out within Classes A (unless in accordance with condition 63 above), D, G, H, M, and T of Part 3 and Classes J – O of Part 14 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

Reason: In the interests of protecting the character and amenities of the locality

Materials

65. Prior to installation within the relevant phase precise details and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only using the approved external materials.

Reason: In the interests of visual amenity.

Art Work

66. Details of the following artworks within the scheme as indicated on the approved plans and timetable for their implementation together with details of

future maintenance shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development and shall be installed in accordance with the approved timetable and maintained in accordance with the approved details:

1. 2 x stags
2. Commemorative trees
3. artwork in relation to the kiosk

Reason: In the interest of the visual amenity of the area.

67. No vents or flues shall be located on any façade of the buildings hereby approved other than in accordance with details to be submitted to and approved in writing by the Local Planning Authority, or as per details already shown on the approved drawings.

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

68. Prior to the installation of the kiosk hereby approved details any external storage areas including location and type of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The storage areas shall be carried out in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the visual amenities of the locality Cleaning strategy for buildings.

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. 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/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the application was acceptable as submitted and no further assistance was required.
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved 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). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 15/01671/AS.

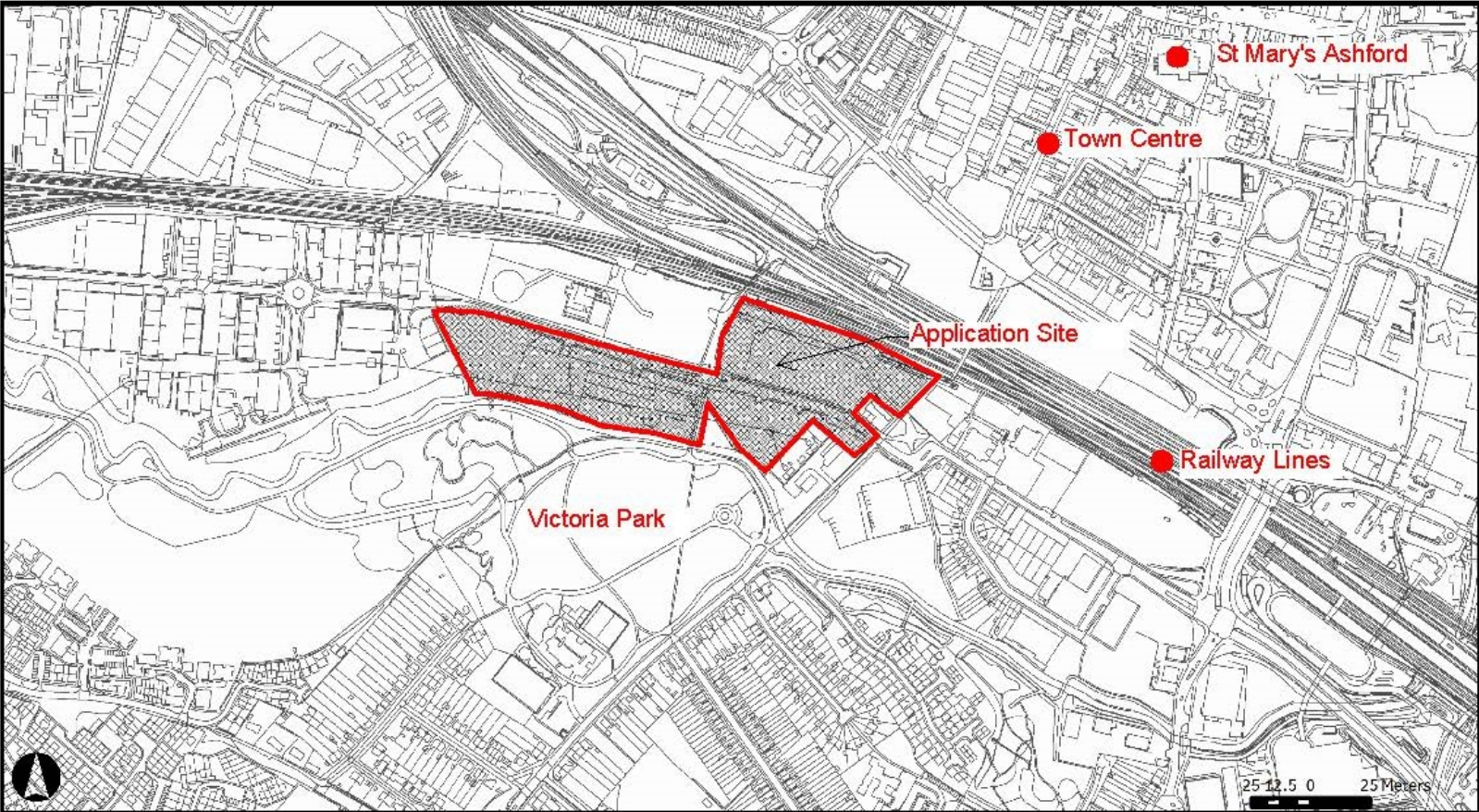
Contact Officer: Llywelyn Lloyd

Telephone: (01233) 330740

Email: llywelyn.lloyd@ashford.gov.uk

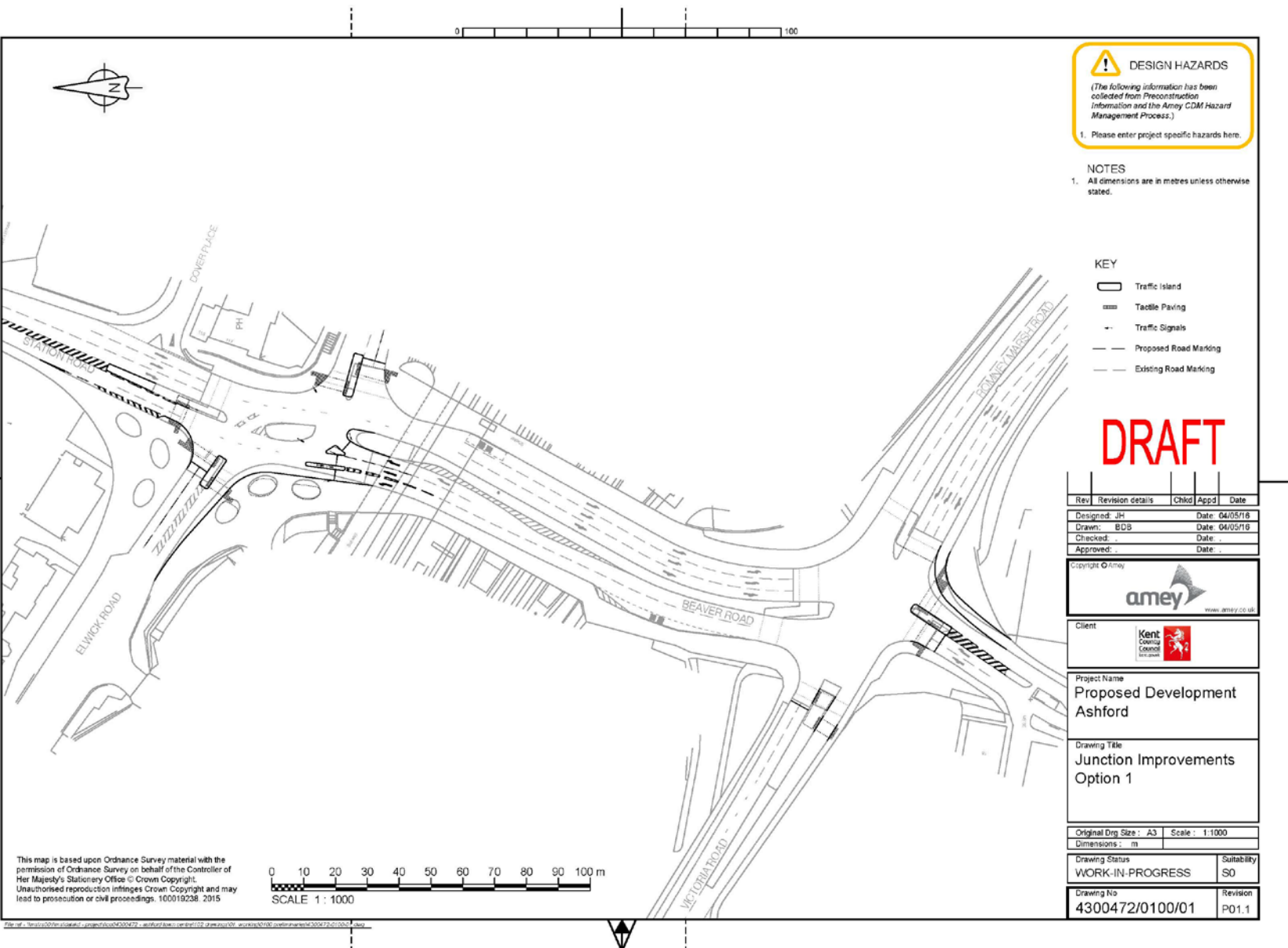


Appendix 1: Site Plan



All rights reserved. Licence Number 100024427
This product includes mapping data from
Ordnance Survey with the permission of the
controller of Her Majesty's Stationary Office ©

Annex 2



1.115

M:\err001\MSTDrawID - Projects\043\00472 - Ashford Town Centre\102 Drawings\01 Working\0100 Preliminary\01.dwg, 06/05/2016 17:59:24, Hughes