

<b>Application Number</b>	15/01160/AS	
<b>Location</b>	Danemore, Beachy Path, Tenterden	
<b>Grid Reference</b>	588786/133755	
<b>Parish Council</b>	Tenterden Town Council	
<b>Ward</b>	Tenterden North	
<b>Application Description</b>	Demolition of existing Sheltered Housing Scheme, four bungalows and former St. John's Ambulance (vacant). Erection of Sheltered Housing Scheme consisting of 34 apartments, four chalet bungalows and associated landscaping and car parking.	
<b>Applicant</b>	Head of Community and Housing, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford TN23 1PL	
<b>Agent</b>	PRP Architects, Ferry Works, Summer Road, Surrey KT7 0QJ	
<b>Site Area</b>	0.59ha	
(a) 83/1S & 10R <u>Re-consultation:</u> 83/5R	(b) R  S	(c) KH&T X; ESM X  KH&T X; ESM X; KCC SUDs X; KCC Ecology X

## Introduction

1. This application is reported to the Planning Committee because this is a major application and the applicant is Ashford Borough Council.

## Site and Surroundings

2. The application site is formed of two plots currently in the council's ownership. The first plot includes the existing Danemore Sheltered Housing Scheme and 4 x 1-bed bedroom bungalows and the second plot includes the former St John's Ambulance building. The site is located in Tenterden and is located in the Tenterden town Conservation Area. There are three listed buildings in close proximity to the site fronting Golden Square at the junction with East Hill.

3. The existing sheltered housing scheme includes 33 one bedroom self-contained apartments and bungalows. The existing building was built in 1978 and is primarily 2-storeys, with mono-pitched roof forms and concrete tiles.
4. Due to relocation, the former St John's Ambulance building became surplus to requirements and was disposed of in February 2015. It was sold to Ashford Borough Council and forms part of the application site. It is a single storey building located adjacent to the bungalows at Danemore.
5. The immediate area is predominantly residential and the site is surrounded by residential rear gardens on three sides and then to the east it fronts Danemore, which is a small residential cul-de-sac comprising two storey terraced and semidetached houses. There is a footpath, Beachy Path, that connects to Golden Square and Ashford Road. The surrounding dwellings are predominantly two storey of varying heights, form and age. The site is within close proximity to Tenterden town centre and local services and facilities. The site has good access to public transport with access to bus connections.
6. At the existing Danemore sheltered housing scheme, there is a parking area of about 12 spaces, used by the sheltered housing scheme and local residents. The area is not formally laid out and as such in reality it accommodates less than 12 vehicles at any one time.
7. The site slopes down from north to south from Ashford Road to Golden Square (approx. 4.5m levels change). This results in the existing building being dug into the site at the northern end by approx. 1.3m. There is also a slight levels change between the eastern and western boundaries of the site. There are trees around the boundary and garden areas around the existing building.

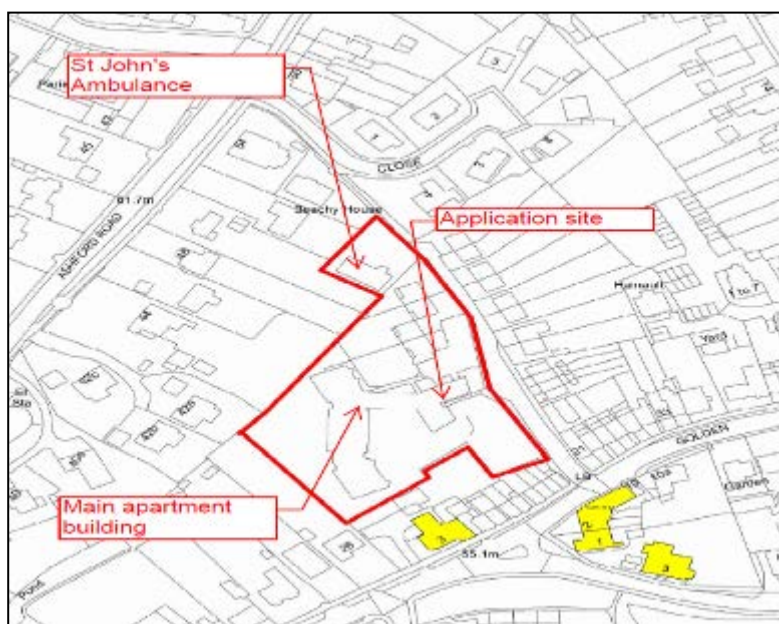


Figure 1: Site location plan

8. A site location plan is attached to this report as annex 1.

## Proposal

9. The application is for full planning permission for the demolition of the existing sheltered housing scheme, 4 sheltered housing bungalows and the former St John's Ambulance building, and the erection of a new, part 2 storey and part 3 storey, building comprising a sheltered housing scheme of 34 apartments (23 x 1-bed and 11 x 2-bed) and 4 chalet bungalows/cottages. In total there would be 1 new sheltered housing apartment on site over and above the existing number. It also includes associated communal/ancillary facilities. The 4 chalet bungalows are in addition to this and are to be offered for general sale to help finance the redevelopment proposed.
10. The application as originally submitted proposed 43 new sheltered housing apartments in the form of a three storey building and 4 chalet bungalows. Typical elevations of the building originally proposed are set out below:



Figure 2: Front and side elevations of building as originally submitted.

11. The amendments to the scheme have reduced the number of units on the site by 9 to that originally sought. The building has also been reduced in height and scale and in the main proposes a two storey building set under a flat green roof. The element of the proposal which remains unaltered is the two

and a half storey element fronting Danemore. A site layout plan, elevations, floor plans and site sections for the scheme in its amended form and for consideration by the Planning Committee are set out below:



Figure 3: Site and block plan. Footprint of existing building shown by red dashed line.





Figure 4: Proposed layout plan



Figure 5: Artists impression of frontage to Danemore







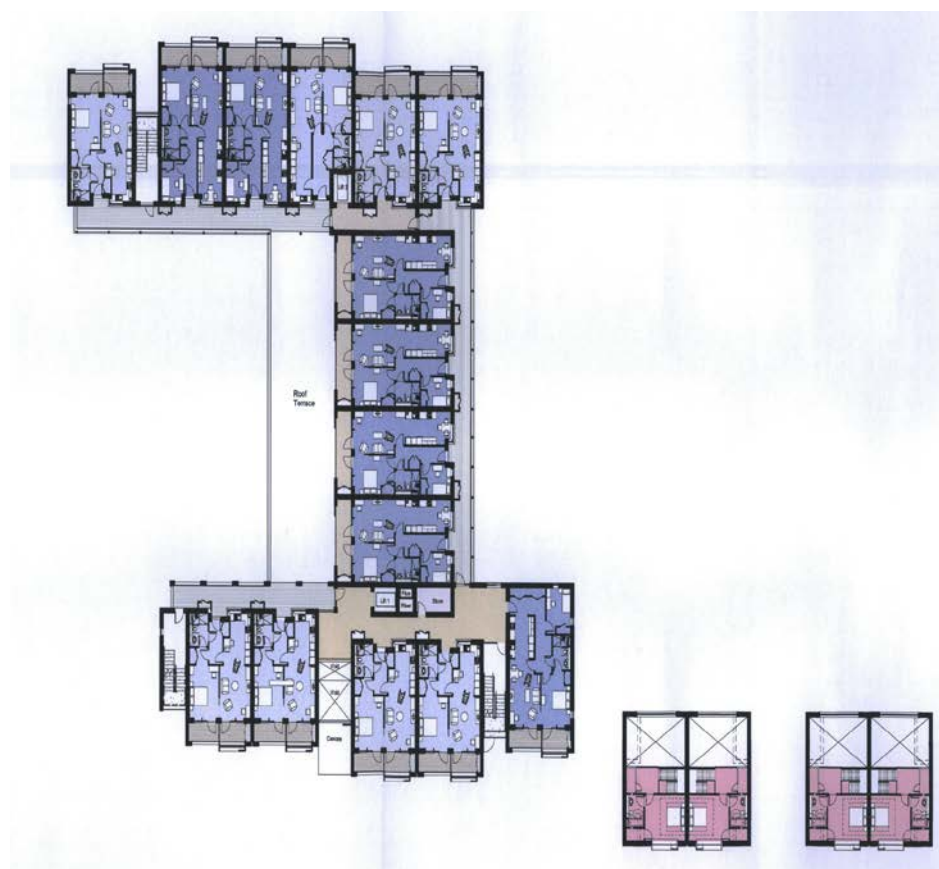


Figure 10: proposed first floor plan

12. The design of the front elevation of the apartment building reflects the design and form of the dwellings on the opposite side of Danemore through the use of gable features. The gables project to provide interest and to provide partly enclosed balconies. The elevations comprise red brick, with hit and miss brick panels to the ground floor, all set under a clay tiled pitched roof. Balconies are provided to all of the apartments through removable panels to the units on the ground floor and the provision of partly enclosed and partly open balconies to the upper floor to maximise all year round usage. The front elevation is set back from the road and the main entrance is located roughly in the centre of the elevation.
13. The two storey element is set behind the frontage and comprises again predominantly red brick with large areas of glazing, hit and miss brick panels and vertical timber under a green roof. Again all balconies within this section of the development would have balconies and some access to a roof terrace in addition thereto.
14. The chalet bungalows follow the design of the frontage of the main building in terms of materials, form and appearance.



15. The scheme seeks to enhance from that currently existing to provide independent living for older persons, with care available when required and responds to the enhanced standards set out in the HAPPI report (Housing our Ageing Population: Plan for Implementation). The sheltered housing apartments would be affordable housing and the chalet bungalows private sale. Both the affordable housing and private sale units will be age restricted with a cascade mechanism. Priority will be given to persons 60 and older, then 55 and then 50. The minimum age cut off point will be 50.
16. The chalet bungalows are located on the former St Johns Ambulance building site. They consist of two bedrooms plus living areas. The chalet bungalows have been designed to encourage independent living, but still linked to the main building via a care call system. All units meet the nationally prescribed space standards. All units have access to external space be it private gardens, communal gardens, balconies or terraces.
17. Provision is made for 23 parking spaces. The new scheme layout seeks to rationalise the parking for residents on Danemore in front of the existing sheltered housing scheme. Each bungalow will be afforded 1 car parking space and the flats 19 spaces between them. The majority of parking would be to the front of the site. There will also be parking for 10 cycles and 13 buggies. Refuse and Servicing will be from Danemore.
18. The level changes have been incorporated into the design, and whilst there is an increase in height from existing to the front with Danemore (due to the second floor accommodation in the gables, to the rear the overall height would sit lower than the existing building, albeit the building would extend closer to the site boundaries as can be seen in figure X entitled Site Plan and Block Plan.
19. The applicant has provided the following documents in support of the application which are summarised below:

**Planning and Affordable Housing Statement**

20. The site is currently used to provide sheltered housing and as such a continuation of that use is acceptable in principle. Due to the St John Ambulance building (a SUI Generis use class) now being surplus to requirements, together with the community benefits generated by the development, it is considered that the proposals meet the requirements of Policy CS18 (Meeting the Community's Needs).
21. The proposal with this application presents an opportunity to deliver a high quality sheltered housing scheme, providing a greater number of older people with the opportunity to live independently for as long as possible which in turn will encourage downsizing from under occupied homes within all tenures. The

proposals follow extensive pre-application consultation with Ashford Borough Council and the local community. The proposal represents a considered response to the sites' opportunities and constraints, which is reflective of up to date planning policy and the aspirations of Ashford Borough Council.

### **Design and Access Statement**

22. The site currently consists of two plots, both owned by ABC. The bigger one of the two has Danemore Sheltered Housing scheme, built in the 1970's and four one bed bungalows. The second, smaller site has a disused St. John's Ambulance building and associated parking.
23. The existing buildings on site do not meet current standards for older people housing and St. John's Ambulance building is vacant and has been sold by the organisation. The redevelopment of the site offers the opportunity to respond to the enhanced standards for the provision of housing for older people as set out in the HAPPI report (Housing our ageing population: Panel for Innovation, 2009) by the Homes and Communities Agency.
24. The redeveloped scheme at Danemore will be for those aged 50 plus to enable independent living in a safe secure environment which can be adapted to meet changing needs of each resident as required.
25. The general principles for the proposed new scheme are to provide excellent quality sheltered accommodation in an attractive building that will enhance the conservation area and address the street. It will also provide improved car parking arrangements.
26. The proposal is carefully design to mitigate impact on existing boundary trees, and incorporates a broadleaf and evergreen mix of additional native trees and large shrubs to strengthen the green character if the site. The external lighting for this project will comprise a low wattage scheme to prevent potential glare or light spill onto the local environment.
27. The site is well located within 400m walking distance to local facilities along Tenterden High Street, including Tesco and Waitrose stores. These facilities are easily accessible by walking thus reducing the need to own a car.

### **DAS Addendum (following receipt of amended plans)**

28. In response to concerns the building has been redesigned to incorporate the following:
  - Retention of the front elevation at 3 storeys, addressing Danemore Road.

- Removal of 'third' level of accommodation from the remainder of the development
  - Pitched and flat roof detail has been replaced with a green flat roof to the remainder of the development
  - the plant room has been relocated to the basement to allow the incorporation of an additional south facing unit
  - windows (with opaque glazing) have been added to the north elevation to add further detail
  - the scheme now provides 34 apartments plus 4 chalet bungalows / cottages which is a reduction of 9 apartments
  - provision of 23 parking spaces, providing an increased ratio of spaces per dwelling
29. As a result of these changes, the scheme fits better into the existing grain of its surroundings due to the reduced height. There is also less pressure for parking and amenity space due to the reduced number of units. There is a wealth of tile hanging and brick detailing in Tenterden, and all ground floor flats in the scheme have a hit and miss brick detail panel that re-interprets the traditional details in a modern way. The first floor balconies are half enclosed by winter gardens and half open as normal inset balcony. This is foremost to provide choice for residents, but also to create smaller openings more akin to domestic architecture in the area.

### **Transport Statement**

30. The site is very well located with local facilities easily accessible along Tenterden High Street, within 400m walking distance, including Tesco and Waitrose stores. These facilities are easily accessible by walking thus reducing the need to own a car. Many bus services operate along the A28 Ashford Road, serving a range of destinations such as Ashford, Maidstone, Tunbridge Wells, Re and local villages. The nearest railway station is at Headcorn, located 9 miles away, serving London Charing Cross. Ashford International Station is 12 miles from Tenterden.
31. A total of 23 parking spaces will be provided for residents, visitors and the manager. This equates to a provision of over 50% for the sheltered housing apartments and 100% for the chalet bungalows. This provision has been based on the demand led approach described in ABC's Residential parking and Design Guide DPD, Adopted October 2010 and using data from the existing Danemore scheme and others developed by ABC.



32. The new scheme layout offers the important benefit of removing the existing haphazard parking which currently occurs on Danemore in front of the existing sheltered housing scheme. The benefit is in terms of a greatly improved street scene, easier parking and access for Danemore residents, for the sheltered housing scheme and safety for pedestrians along Beachy Path.
33. Parking will be provided for 10 cycles and 13 mobility scooters / buggies.

### **Arboricultural Report**

34. In summary of the 52 surveyed trees and tree groups, the proposed development will see the following:
  - 29 trees removed
  - 18 trees retained
  - 5 tree groups retained
35. The loss of the above trees is unavoidable with the current layout proposals for the residential development. The majority of these trees are category 'C' trees within the site and are deemed to be of low quality with a life expectancy of less than 10 years. The development seeks to retain the majority of the mature focal trees around the perimeter of the site that vastly contribute to the treeline and the visual amenity of the area. It is recommended that all major works such as demolition, and all excavation works should be undertaken with arboricultural supervision and that all trees impacted by the development should be inspected for health and signs of decline 1 year after the completion of the development of the development works.

### **Ecological Appraisal**

36. The site was assessed following an Extended Phase 1 Habitat Survey methodology.
37. Following completion of presence/absence surveys on suitable ponds in the vicinity of the site, comprising four visits, no great crested newt were recorded. There are no ponds on the site itself. Smooth newts and palmate newts were recorded at 2 ponds and other common amphibians may be potential receptors to the site. The site however is well managed and therefore provides suboptimal habitat. As a precaution it is recommended that a detailed hand search of suitable onsite vegetation for amphibians is undertaken immediately prior to clearance works; the search should be undertaken by a suitably qualified ecologist. If common amphibians are found they should be moved offsite and placed in suitable alternative habitat.

38. No reptiles were identified on the site during the surveys
39. Detailed inspections of the buildings were carried out for evidence of bat roosts. One brown long eared bat roost was found in the loft space of the former St Johns Ambulance building during the examination of the buildings. This was not however a maternity roost and likely to be used by a single bat. As the building displayed features that would encourage usage by bats, activities surveys that were undertaken during autumn 2014 and during Spring/Summer 2015 (dusk / dawn surveys). The surveys identified that the main apartment building and the St Johns Ambulance building are likely to support night roosts for pipistrelle bats however the buildings were not considered to be of a suitable construction to provide the cool stable temperature for hibernation. The roosts are considered locally important to the local bat population however the roosts are considered to be of low conservation significance. It is proposed that new roost facilities should be provided as part of the redevelopment equal to or better than those that currently exist. A European Protected Species licence must be applied for and granted and the provision or replacement roosting opportunities will be required. 5 trees were identified as having low to moderate potential to support bats and it is proposed that these are retained.
40. The site has potential to support badgers although there were no field signs of badgers during the survey (no badger setts identified). The site could provide suitable foraging habitat for badgers with the trees, hedgerows and amenity grassland however this is a small, well managed site and the habitat is suboptimal for this. As a precaution it is recommended that a pre-construction check be undertaken prior to works commencing and precautionary working methods should be adopted (i.e. chemicals safely stored and any excavation left with suitable egress).
41. If any vegetation clearance is to take place, there is potential for active birds nests to be destroyed. As a precautionary measure, it is recommended that any works of this kind should be undertaken outside of the bird breeding season. If it is not possible to schedule clearance works at this time, a breeding bird check would need to be undertaken no more than two days prior to vegetation clearance works to ensure no active bird nests are present.
42. Japanese knotweed was recorded on site during the survey. The stand identified was removed from site and incinerated in January 2015 and continued management in the form of stem injection treatment is ongoing. Butterfly bush, a non-native species, was also recorded on site. Care should be taken when on site to avoid any spread of the plant and species should not be incorporated into the landscape scheme. Recommendations for post development ecological enhancement measures are provided where relevant.

### **Danemore Statement of Community Involvement**

43. In the development of the proposals for Danemore this began with a residents' consultation event held at Danemore on Thursday 23<sup>rd</sup> July 2014. A letter was sent to each resident informing them of the consultation and what to expect on the day. Feedback received was generally positive on all aspects of the design. The main concern appeared to be with the moving process. Residents were advised they would be able to transfer to another scheme if they did not wish to move into the new flats. A further consultation with the residents was carried out on Tuesday 24<sup>th</sup> February 2015, immediately followed by a local neighbourhood public consultation with the people directly affected by the proposals.
44. The consultations have shaped the proposals quite significantly; including reduction in height, parking reshaped, orientation of flats, reduced number of chalets, careful consideration of boundary treatment etc. A lot of care has been taken in the design, in consultation with the Planners, to avoid any harm to residential amenity of the adjoining dwellings. There has been wider consultation work at internal officer level, with Tenterden Town and Local Councillors and a number of specialist consultants inputting into the process.

### **Heritage Statement**

45. The existing sheltered housing scheme currently fails to relate to either the existing building line, the built form along Danemore, or to the character of the wider Conservation Area. The proposal within this application seeks to re-address the building's relationship with the surrounding built form along Danemore and also its connection to the wider Conservation Area. The proposal has been designed to restore the urban grain along Danemore and provide a building that addresses the street frontage while also offering a design that is in keeping with the scale and massing of the surrounding properties. By demolishing the existing scheme and replacing it with a high quality, sympathetic development inspired by the strong character prevalent along Danemore and the wider area, this will result in the innate character of the Conservation Area and the setting of the listed buildings being meaningfully preserved.

### **Phase I Desk Study Report**

46. It is anticipated that the underlying soils will comprise Tunbridge Wells Sand Formation. The site does not lie within a flood risk zone and no groundwater abstractions for potable supply are present within 2km of the site. The Phase I contamination assessment has identified some potential for contamination given the historic use of the site as a depot.



### **Phase II Site Investigation Report and Remediation Strategy**

47. The current Phase II investigation has involved the excavation of a total of 37 exploratory holes comprising a mix of window samples boreholes and hand augers. The contamination risk assessment has identified the presence of elevated concentrations of lead and PAH compounds on the eastern part of the site. No significant contamination has been identified on the western part of the site. Any contamination can be remediated and this can be controlled by condition.

### **Sustainability Statement**

48. The development will achieve, what was at the time of submission, Code for Sustainable homes (CSH) Level 3\* standards according to Ashford Policy CS10 and the funding requirements of the project. All of the units will be designed to reduce their energy use and emissions through efficient building form and construction and cost effective energy efficiency measures, where the building envelope is designed to insulate residents from future energy price increase.

### **Energy Statement**

49. The development must achieve CO2 emission reductions commensurate with Building Regulations and achieve a 10% reduction in CO2 emissions using renewable energy. Proposed energy efficiency measures include a well-insulated building fabric, high levels of air tightness and mechanical ventilation with heat recovery (MVHR).

### **Surface Water Drainage Design – Design Report / Strategy**

50. The proposed scheme would reduce runoff from the site by over 40% compared to the existing scheme. Runoff would be limited to the discharge rate close to Greenfield for the site and controlled to 5l/s. This would not only reduce runoff when compared to the existing development but would also significantly reduce sewer loadings. This design is considered to be compliant with both local and national planning policy requirements.

## **Planning History**

90/00306/AS - Planning permission granted for new St Johns Ambulance brigade headquarters to replace former building destroyed by fire.

15/00517/AS - Temporary planning permission for change of use of building from sui generis (St Johns Ambulance Hall) to D1 (community facility)

## Consultations

### Scheme as originally submitted (43 units and 4 chalet bungalows)

**Ward Member:** The Ward Member is a member of the Planning Committee

**Tenterden Town Council:** Objects to this application on the grounds that the scale of the building would be inappropriate at this location, and that it would overlook adjacent gardens.

**KCC Highways and Transportation:** no objections to the application subject to conditions. They state that all of the proposed parking bays fronting Danemore are required to be unallocated as part of this Section 278 Agreement to act as a flexible resource for all residents of the site. They go on to state that the proposed parking provision is in accordance with Kent Parking Standards for sheltered units, which are 1 space per 2 unit and 1 space per resident warden. There are no resident wardens proposed and so therefore no car parking is required for staff. As 4 chalet bungalows are proposed it would be reasonable to provide 1 space for each of these units as persons living in these bungalows are likely to be more mobile than those in the apartments. A total of 26 parking spaces are required and 26 spaces are provided.

**Environmental Health:** No objection subject to a condition requiring the submission of a remediation scheme for the site.

**Neighbours:** 83 consulted, 1 letter of support and 10 objections received. Comments summarised below:

#### Support

- It will upgrade the present sheltered housing to modern standards.
- The site will continue to meet local needs for provision of sheltered housing within easy reach of Tenterden town centre facilities.
- The new development has been designed to blend with surrounding properties, and consideration has been given to neighbouring listed properties.
- The road access and car parking provision have been improved with special provision for cycles and buggies.

#### Objection

- Lack of mature trees screening the southern boundary of the development and there should be a significant increase in the planting to protect the privacy of

residents at Golden Square due to the increased height of the main building and the balconies.

- The south and west elevations of the building have moved closer to the boundary and will seriously affect the light to the neighbouring properties.
- Development is too high density and there is a lack of parking. There is already a parking problem in the surrounding area.
- The three storey building invades the privacy of neighbouring buildings, particularly to the north west and west of the development.
- Balconies will overlook gardens and rooms of neighbouring properties on Ashford Road.
- Noise is likely to increase significantly.
- The development fails to enhance the Conservation Area.
- None of the plans specify where the roof mounted PV will be located, given the visual impact the details should be clearly shown.
- The scale of development within the Conservation Area. Proposal is an overdevelopment of the site and over intensive use.
- The increased heights of the northern section and the western section would have an overpowering visual impact and would overshadow all the surrounding houses.
- Design concerns.
- The car park should be restricted to 8 car parking spaces and for resident use only.
- Japanese knotweed should be removed by a regulated contractor.

Re-consultation following receipt of amended plans (34 flats & 4 chalet bungalows)

**Ward Member:** The Ward Member is a member of the Planning Committee

**Tenterden Parish Council:** supports this application, subject to; (1) An assurance that parking in the new development will be improved over the current situation and that build-related parking would not be obstructive to nearby neighbours. (2) Changes to the configuration of the chalet bungalow which would overlook the garden of 4 Rothley Close. (3) An assurance that residents of Tenterden (and Rolvenden) would be given priority in the assignment of accommodation.



**KCC Highways and Transportation:** No objection subject to conditions stating that the ratio of parking spaces to units has improved from the original scheme and that the original scheme met parking standards for sheltered housing.

**Environmental Health:** No objection subject to conditions

**KCC Drainage:** KCC as Lead Local Flood Authority are satisfied with the surface water drainage strategy prepared by the ABC Project Delivery Team and therefore have no objections to this development provided the proposed discharge rates to the public surface water sewer are agreed with Southern Water and subject to a SUDs condition.

**KCC Ecology:** Raises no objection based upon the survey work undertaken and the bat mitigation strategy submitted. No concerns raised in respect of other matters of ecological importance. Consider that the survey results and proposed mitigation are sufficient to enable ABC to consider that the favourable conservation status of the bats will be maintained if permission is granted.

**Neighbours:** 83 consulted and 5 objections received raising the following:

- The western development, albeit lower, is still extremely close to the boundary and would be intrusive from a noise and visual point of view.
- Insufficient parking for residents let alone visitors and this large development would add to existing congestion / parking problems in the locality.
- An additional 38 units would put more pressure on local GP surgery.
- Lack of privacy from the two storey chalet bungalows with windows directly overlooking neighbouring property and garden.
- Residents on Danemore have no off road parking and have to share the limited spaces available with the sheltered housing scheme, visitors and carers, people who work in the town and cars from other neighbouring properties.
- Request designated parking for the residents at Danemore.
- The development is too close to properties on Ashford Road, it will be very intrusive and overbearing.
- There are badger setts on this site which have not been recognised

**(JDCM comment:** The ecological survey identified that there were no badger setts on the site)

- The revised plans have not addressed concerns to the impact on Danemore. It is three stories high and with balconies it will be very noisy, result in a loss of privacy and be overbearing.

## **Planning Policy**

51. 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. On 9 June 2016 the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016. At present the policies in this emerging plan can be accorded little or no weight.
52. The relevant policies from the Development Plan relating to this application are as follows:-

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

TP6 – Provision of cycle parking

LE5 – Equipped public open space

LE6 – Off site provision of public open space

LE7 – Play facilities

CF21 – School Requirements for new housing development

### **Local Development Framework Core Strategy 2008**

CS1 – Guiding principles for sustainable development

CS2 – The Borough Wide Strategy

CS8 – Infrastructure contributions

CS9 – Design Quality

CS10 – Sustainable design and construction

CS11 – Biodiversity

CS12 – Affordable Housing

CS13 – Range of dwelling types and sizes

CS15 – Transport

CS18 – Meeting the community's needs

CS21 – Water supply and treatment

**Tenterden & Rural Sites DPD 2010**

TRS1 – Minor residential development or infilling

TRS5 – Exception sites for specialist housing schemes

TRS17 – Landscape character & design

TRS18 – Important Rural Features

TRS19 – Infrastructure provision to serve the needs of new developments

**Local Plan to 2030**

SP1 – Strategic Objectives

SP2 – Strategic Approach to Housing delivery

SP6 – Promoting High Quality Design

HOU1 – Affordable Housing

HOU2 – Local Needs / Specialist Housing

HOU4 – Residential Development in the Rural Settlements

ENV1 – Biodiversity

ENV9 – Sustainable Drainage

ENV13 – Conservation & Enhancement of Heritage Assets

ENV14 – Conservation Areas

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

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

Landscape Character Assessment

Residential Space and Layout

Residential Parking and Design

Sustainable Drainage

Sustainable Design & Construction

Public Green Spaces and Water Environment

Dark Skies SPD

### **Government Advice**

National Planning Policy Framework 2012

Technical Guidance to the National Planning Policy Framework 2012

54. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

- Paragraph 14 sets out presumption in favour of sustainable development
- Paragraph 17 sets out the core planning principles including every effort should be made objectively to identify and then meeting the housing needs of the area; and always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; encourage the effective use of land by reusing land that has been previously developed (brownfield), provided that it is not of high environmental value; conserve heritage assets
- Section 6 sets out about delivering a wide choice of high quality homes, including plan for the needs of different groups in the community including older people.
- Section 7 sets out requiring good design
- Section 12 sets out conserving and enhancing the historic environment

### **Other Government Policy**

Technical Housing Standards – Nationally described space standards.

### **Assessment**

55. The main issues for consideration are:

- Whether the principle of the development is acceptable
- The design quality of the scheme and the impact on the visual character of the area, conservation area and setting of nearby listed buildings
- The impact of the development in this location and whether this would result in harm to the residential amenity of local residents
- Parking and Impact on highway safety
- Affordable Housing
- Whether the development would meet the Council's requirement for sustainable drainage / sustainable design & construction
- The impact of the development on ecology and trees
- Whether planning obligations are necessary

#### Whether the principle of the development is acceptable

56. The site lies within the built confines of Tenterden and involves the redevelopment of the existing housing development at Danemore. Policy CS6 of the Core Strategy indicates Tenterden as a settlement suitable for limited expansion. This is further confirmed in policy TRS1 of the Tenterden and Rural Sites DPD.
57. The NPPF states that planning policies should encourage the effective use of land by re-using previously developed land. Housing applications should be considered in the context of the presumption in favour of sustainable development and delivering a wide choice of high quality homes.
58. The existing units are small and do not currently meet certain standards and guidelines required for older person accommodation. The NPPF is clear that LPA's should plan for housing needs, including older people. In addition Ashford has a need for further accommodation for elderly people. The Housing Framework 2013-2018 identifies the proportion of older people in the population is increasing naturally and that there is an ongoing need for

supported housing across all vulnerable client groups. It sets out to deliver new homes and regenerate older people's accommodation as part of the priorities for the borough.

59. Whilst it is recognised the site includes the former St John's Ambulance building, this has become surplus to requirements and is no longer used by St John's Ambulance. As such the loss of the unit is in accordance with Core Strategy Policy CS18.
60. The site is located within the confines of Tenterden within easy reach of bus stops, shops and other facilities and the scheme proposes on site communal/ancillary facilities for residents.
61. The detail is considered further below, however the principle of the improved sheltered housing scheme on the site is in accordance with the adopted development plan, the objectives of the NPPF and is therefore acceptable in principle provided no overriding harm is demonstrated.

The design quality of the scheme and the impact on the visual character of the area, conservation area and setting of nearby listed buildings

62. The site is located within Tenterden and is predominantly surrounded by 2 storey residential dwellings. There is also a level change across the site.
63. The amended proposal is for 34 sheltered housing units and 4 chalet bungalows. The original proposal included 2 and half storey development, with accommodation in the roof space. However following revisions, the design seeks to address the street frontage along Danemore retaining the 2 and half storey; however for the remainder of the development it reduces to 2 storeys with a flat green roof. The development seeks to make efficient use of the site and introduces a contemporary development whilst still remaining sympathetic to its location. Whilst the amount of built development increases, in order to meet current standards, the height to the rear would sit slightly lower than the highest part of the existing building, thereby ensuring it would remain acceptable. The chalet bungalows are of a modest scale and are in keeping with the character of the area.
64. The layout provides for units fronting the road with pitched roof and is designed to break up the overall mass and scale of the development. This would result in natural surveillance along the frontage but also reflects the existing pattern of development opposite the site. This would also regularise the parking arrangement, from that existing, with parking along the frontage and an additional parking area within the site.
65. The design includes introducing additional landscaping across the site, with an activity garden / wildflower meadow and community courtyard, and it



introduces new trees and planting to reinforce the boundaries and also enhance the visual appearance of the site.

66. The materials would include red brick, brown clay roof tile, hit and miss brickwork panels, timber screening and cladding, with elements of glazing panels and brick solder course. This would reflect the character of the area and is sympathetic to its location within conservation area.
67. The development would be no closer to any listed buildings than the existing and would have no greater impact on the setting of these buildings compared to the existing situation. As such the proposed development does not harm the setting of nearby listed buildings.
68. Overall, I am satisfied the development would not result in harm to the visual amenity of the area; it would preserve or arguably enhance the character and appearance of the conservation area and would cause no harm to the setting of nearby listed buildings. The proposal complies with the development plan as a result.

The impact of the development in this location and whether this would result in harm to the residential amenity of local residents

69. The existing building in part extends up in close proximity to the boundary with Ashford Road and to the rear of the site.
70. The proposed development would move the built development further away from no. 44 Ashford Road, but the development would move slightly closer to the rear of the site along the boundary with 42a & b Ashford Road and 26 Golden Square. However whilst the built development moves closer, the height will be slightly lower than that existing. The separation distance of the new building and the rear of the closest dwelling is 20m. This will ensure no unacceptable harm to the residential amenity through the new development appearing overbearing and oppressive or loss of privacy. The front part of the development would be set 20m from the front elevations of the existing properties on the opposite side of the road. Although the new development would be two and a half storeys along the frontage, again this is a significant separation distance to ensure the development will not appear overbearing or oppressive.
71. In respect of overlooking I am satisfied that in respect of the 42a&b Ashford Road, the fact that the development is set 20m from the rear of the closest property, is limited to two storey and is set on slightly lower ground there will be no unacceptable overlooking. Further the orientation of the building means that no balconies would look out directly over the gardens of these properties. The first floor roof terrace would be 25m from The Coach House which is the

closest affected property to the south and again this separation distance will ensure no unacceptable overlooking.

72. In respect of the development to the front, the two and a half storey element being 20m from the existing properties fronting Danemore would again ensure no unacceptable loss of privacy. The chalet bungalows to the north would be 18m from the front elevations of the properties on the other side of the road. Concerns have been raised by the occupants of the property at 4 Rothly Close in respect of the chalet bungalow and the most northerly part of the site overlooking their property / garden. This chalet bungalow would be 21m from the dwelling itself and the first floor bedroom window would not look directly towards this property. Although this window would overlook part of the rear most element of the garden, the most private garden area would not be overlooked. The garden to 4 Rothly Close is currently clearly visible from the road reducing the existing privacy levels somewhat. In the light of this I do not consider that the residential amenity of the occupants of this property would be harmed to such a degree as to warrant refusal.
73. There is a parking area located adjacent to the boundary with no. 44 Ashford Road, however given the limited number of vehicles movements and the distance to the dwelling it is not considered this would result in an adverse noise impact. With the additional landscaping introducing the development could result in an improved outlook and any perceived overlooking for these neighbouring properties.
74. In the light of the above, it is considered the proposed development, as amended, would result in an acceptable relationship with neighbouring dwellings and would not result in undue harm to residential amenity.
75. The proposed development meets the Nationally Described Space Standards for internal space and the Council's space standards in respect of external amenity space. As such the residential amenity of future residents would not be adversely affected.

#### Parking and Impact on highway safety

76. The existing parking arrangement is currently inadequate and provides parking spaces for about 12 vehicles used by both the occupants of the sheltered housing scheme, visitors, carers as well as local residents.
77. In total 23 car parking spaces are provided as part of the proposed redevelopment. 4 of these spaces would be for the chalet bungalows and 19 for the flats. The total number of units being provided as part of the redevelopment is 38 (an overall increase in 5 units from the existing). The provision of 23 spaces for 38 units is a 56% provision i.e. just over 1 space for every 2 units. The current provision is at best 1 space for every 3 units. The

Transport Assessment has looked at existing car ownership at Danemore (23%) as well as other similar facilities in rural locations where the percentage car ownership is on average 33%. The provision of car parking at 56% therefore represents a significant improvement over the existing situation. KCC Vehicle Parking Standards require 1 space for every 2 units for this type of sheltered accommodation and again this standard is exceeded. The close proximity of all local amenities by foot and good bus links means that car ownership is likely to be lower for this development compared to those in the rural areas.

78. The additional units proposed would not result in a significant increase in vehicle movements to and from the site or indeed exacerbate the existing parking situation. KH&T raise no objection to the proposal. The proposals would be subject to a Section 278 Highway Agreement with KCC Highways and Transportation. All proposed parking bays fronting Danemore are required to be unallocated as part of this Section 278 Agreement to act as a flexible resource for all residents of the site. Housing Services has confirmed that they will monitor usage of the parking and if it is abused through visitors of the Town parking there then permits will be introduced to prevent this..

#### Affordable Housing

79. All the sheltered housing scheme flats would be affordable. The four chalet bungalows would still be part of the sheltered housing scheme but would be for private sale to help fund the redevelopment of the remainder of the site.
80. Core Strategy Policy CS12 seeks 35% affordable housing; this would be exceeded by the proposed development, achieving approx. 89% affordable units.
81. Both the affordable rent and private sale units will be age restricted. A cascade mechanism is proposed whereby priority will be given to those persons 60 or older, then 55 and then 50. The minimum age cut off point will be 50. Priority will be given to persons who qualify from Tenterden and the immediate surroundings.

#### Whether the development would meet the Council's requirement for sustainable drainage / sustainable design & construction

82. The proposed development would reduce run off from the site by over 40% compared to the existing scheme. The details submitted indicate that runoff would be limited to the discharge rate close to Greenfield for the site and controlled to 5l/s. This would reduce run off when compared to existing development but would also significantly reduce sewer loadings for events shorter than 6 hour storm event.

83. As such the development would result in a significant improvement in terms of sustainable drainage from that currently existing. KCC SuDs have confirmed they are satisfied with the drainage strategy.
84. Carbon dioxide emissions from Danemore will be reduced as a result of the proposed development through energy efficiency measures (fabric first approach, energy and water efficient appliances etc) and through low or zero carbon energy systems. The proposal will seek to reduce the carbon emissions by 10% as required under policy CS10 through the use of renewables which in this instance will be PVs. Details of this can be secured by condition.

The impact of the development on ecology and trees

85. An Extended Phase 1 Habitat Survey was carried out in support of the application. This showed that there would be no adverse impact on Great Crested Newts, amphibians, reptiles, badgers and birds but set out precautionary measures in respect of these. The survey did identify a night bat roost in the former St Johns Ambulance building. As a result dawn and dusk emergence surveys were carried out which confirmed the use of the loft of the former St Johns Ambulance building as a night roost and also night roosts within the apartment building. No evidence of maternity roosts or use of the building for hibernation were found. The night roosts are considered locally important to the bat population however the roosts are considered to be of low conservation value. It is proposed to create replacement roosts within the new building and existing trees (9 and 3 respectively) as part of the redevelopment and this can be secured by condition.
86. As the development would result in the disturbance of protected species and the deterioration or destruction of some of their resting places, there is a prohibition on granting permission unless certain conditions are met: there must be no satisfactory alternative, the favourable conservation status of the protected species on the site would be maintained and granting permission must be in the interests of imperative reasons of overriding public interest.
87. The proposed mitigation will provide roosting opportunities equal to or better than those currently on the site and I am satisfied that the proposal will ensure favourable conservation status of bats / protected species. The proposal is the redevelopment of the existing sheltered affordable housing to provide upgraded facilities. Further this type of housing is clearly needed and as such I am satisfied that the remaining two tests are satisfied. As such I do not consider that the prohibition as set out in the Habitats Directive apply in this instance.

88. A number of trees are to be removed to facilitate this proposal. All but 3 of these are either C or U category trees. 3 Category B trees are to be removed along the front of the site. There are no A category trees on the site or affected by the proposal. The remaining trees will be protected on site during construction and additional planting is proposed as part of the landscaping scheme. The loss of the trees would not have any significant impact on the visual amenity of the area or the character and appearance of the conservation area.

Whether planning obligations are necessary

89. 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.
90. I recommend the planning obligations in Table 1 be required should committee resolve to grant permission. The site provides affordable accommodation for the over 50s for which there is a growing need not only within the Borough but nationally. Redeveloping the site for market housing would undermine the supply of this type of accommodation and would be contrary to the aims of the NPPF, development plan and be unsustainable. As the net increase in the number of units on the site is less than 10 then there are no other contributions that would apply to this scheme. 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.

## Heads of Terms for Section 106 Agreement/Undertaking: Rural Area Site

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
1	<p><b>Specialist Affordable Housing</b>                      The flats and chalet bungalows shall only be occupied by people aged 50 years or older and the flats shall remain affordable in perpetuity. The flats shall be let at rents that are below market. The flats shall be constructed to such standards and other particulars as the Council specifies. The flats shall be managed by a registered provider of social housing or other body approved by the Council.</p>	None	None	<p><b>Necessary</b> as the site currently provides sheltered affordable accommodation for persons aged 50 years and over. There is a clear and demonstrable need for the provision of such accommodation to address a current under provision and the loss of the site for such accommodation would significantly harm such provision in the locality.</p> <p><b>Directly related</b> as the scheme proposes redevelopment of existing sheltered housing provision for the over 50s for the same tenure.</p> <p><b>Fairly and reasonably related in scale and kind</b> as there is no intention for persons under the age of 50 and in need of affordable accommodation to live in the units</p>
<p><b>Notices</b> will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be <b>index linked</b> as set out on the <a href="#">council web site</a> in order to ensure the value is not reduced over time. The <b>costs</b> 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

91. I have also taken into account the human rights issues relevant to this application. In my view, the “Assessment” section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their 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

92. 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

93. This proposal accords with the Development Plan as a whole. It is also in accordance with the NPPF which seeks to boost the supply of housing significantly, including meeting the needs of older people and affordable housing. The proposal provides almost 100% affordable housing and a net increase in 1 affordable unit over the existing.
94. The site lies within the confines of Tenterden and the principle of further residential development on the site is in accordance with Policy CS1 and TRS1.
95. The development would not result in harm to the amenity of the locality. The design has sought to ensure it is sympathetic to its location in terms of detail, layout and visual appearance. It would create an enhanced frontage to Danemore Road, whilst ensuring the development to the rear of the site retains two storeys, with a flat green roof and sits slightly lower than the existing building. The proposal represents a significant improvement over the existing and would make a positive contribution to the conservation area. The proposal would have no adverse impact upon the setting of any listed buildings.
96. The development ensures sufficient distance between neighbouring buildings and enhanced boundary treatments to ensure it would not have a detrimental impact upon the residential amenity of neighbouring properties through overlooking or appearing overbearing / oppressive.

97. The scheme would improve the existing parking situation, by regularising the parking along the frontage of the site, whilst also providing additional parking provision within the site. It would also provide cycle parking and buggy parking together with general improvements to the highway. The parking exceeds KCC Vehicle Parking Standards for this type of accommodation and the slight increase in the number of units on site will not have any adverse impact upon the flow of traffic along Danemore and the surrounding road network.
98. Other planning issues such as space standards, sustainable design and construction, ecology and drainage are considered acceptable. I therefore recommend that planning permission is granted.

## Recommendation

**(A) Subject to the applicant first entering into a section 106 agreement in respect of planning obligations as detailed in table 1, in terms agreeable the Development Control Manager or the Head of Development Strategic Sites and Design in consultation with the Director of Corporate Services, with delegated authority to either the Head of Development Strategic Sites and Design or the Development Control Manager to make or approve minor changes to the planning obligation and planning conditions, as they see fit.**

**(B) Permit**

### **Subject to the following conditions and notes:**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Prior to the commencement of development, details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances at the application site, shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall then be provided prior to the works commencing on site and thereafter shall be maintained in an effective working condition and used before vehicles exit the site and enter onto the adopted highway for the duration of the construction works.

**Reason:** To ensure that no mud or other material is taken from the site onto

the neighbouring highway by wheels of vehicles leaving the site to the detriment of highway safety and the amenities of local residents.

3. 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 or Public Holidays.

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

4. Prior to works commencing on site, details of parking for site personnel as well as details of loading and turning areas for construction traffic shall be submitted to and approved in writing by the Local Planning Authority and thereafter the approved parking, loading and turning areas shall be provided prior to the commencement of development and retained throughout the construction of the buildings.

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

5. The area shown on the drawing number AA4402/2002B as vehicle parking space, garages and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, 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 re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

6. No development shall take place until details of the bicycle storage facilities showing a covered and secure space have been submitted to and approved in writing by the Local Planning Authority. The approved bicycle storage shall be completed prior to occupation of the development and shall thereafter be retained.

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

7. Prior to the commencement of development, A detailed remediation scheme to ensure that the site is suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must 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 approved scheme shall thereafter be carried out in accordance with its approved terms, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be notified at least two weeks prior to commencement of the remediation scheme works.

Following completion of the remediation scheme, a verification report 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.

8. Prior to the commencement of development details of the proposed means of foul water sewerage disposal shall have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

**Reason:** No such details have been submitted and in order to provide drainage of the facility.

9. Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of without exacerbating flood risk.

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 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 and to ensure on-going efficacy of the drainage provisions.

10. The approved development shall be carried out in such a manner as to avoid damage to the existing trees, 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, (Trees in relation to design, demolition and construction - recommendations) 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.

11. The development hereby permitted shall be carried out in strict accordance with the details and tree protection measures as set out in the Arboricultural Report dated July 2015 unless otherwise agreed 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.

12. A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

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

13. No development shall take place until there have been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected.

The boundary treatment shall be completed in accordance with a timetable previously agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be permanently maintained.

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



14. Written details including source/manufacturer, 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 before the development is commenced and the development shall be carried out using the approved external materials.

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

15. Details of final levels for the development including slab levels of the building shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of works and the development shall be carried out in accordance with the approved levels.

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

16. Details of the measures to enhance biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and shall be implemented prior to occupation of the development and thereafter maintained.

**Reason:** In order to enhance biodiversity of the site

17. Prior to the commencement of any development on site (including demolition) full details of the proposed mitigation strategy in respect of bats shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

**Reason:** To ensure no harm to protected species

18. The development shall be carried out in strict accordance with the advice / recommendations contained within Ecological Appraisal dated July 2016

**Reason:** To ensure no harm to protected species

19. If trees and shrubs cannot be removed outside the breeding season, then an ecologist should carry out and record a check for nesting birds. If a nest is identified and considered to be in use then works must be delayed until the young have fledged unless with the written consent of the Local Planning Authority.

**Reason:** In order to enhance biodiversity of the site

20. Prior to the commencement of development the following details shall have been submitted and approved by the local Planning Authority in writing:

- Details of the proposed balconies and balustrading.
- Details of windows including degree of recess / projection to windows.
- Full details of the proposed external lighting.
- Details through eaves, ridge and parapet to flat roof
- Details of the proposed green roof

The development shall be carried out in accordance with the approved details.

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

21. No flues, vents, stacks, extractor fans or meter boxes shall be located on the front elevation of any of the units.

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

- 20 The development shall be carbon neutral. Each dwelling hereby approved shall be constructed and fitted out so that:

- a) 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;
- b) carbon emissions are reduced by 15% through Low and Zero Carbon Technologies once energy efficiencies have been applied.

Unless otherwise agreed in writing by the Local Planning Authority, no work on each dwelling shall commence until the following details for those dwellings have been submitted to and approved in writing by the Local Planning Authority:

- a) Standard Assessment Procedure ("SAP") calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed.
- b) Details of the LZC technologies to be used to achieve the 15% reduction in carbon emissions.

The development shall be carried out in accordance with the approved details. The approved LZC technologies shall thereafter be retained in working order unless otherwise agreed in writing by the Local Planning Authority.

Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until SAP calculations from a competent person have been submitted to and approved in writing by the Local Planning Authority for that dwelling 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.

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

**Reason:** In order to (i) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources, (ii) seek to achieve a carbon neutral development 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 and to calculate any amount payable into the Ashford Carbon Fund, thereby making the development carbon neutral, all pursuant to Core Strategy policy CS10, the Sustainable Design and Construction SPD and advice in the NPPF.

### **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. The proposals will be subject to a Section 278 Highway Agreement with KCC Highways and Transportation as they will involve alterations to the existing public highway on Danemore. All of the proposed parking bays fronting Danemore are required to be unallocated as part of this Section 278 Agreement to act as a flexible resource for all residents of the site.
3. **Working with the Applicant**

### **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 applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

## Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://www.ashford.gov.uk)). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 15/01160/AS.

**Contact Officer:** Oliver Peel

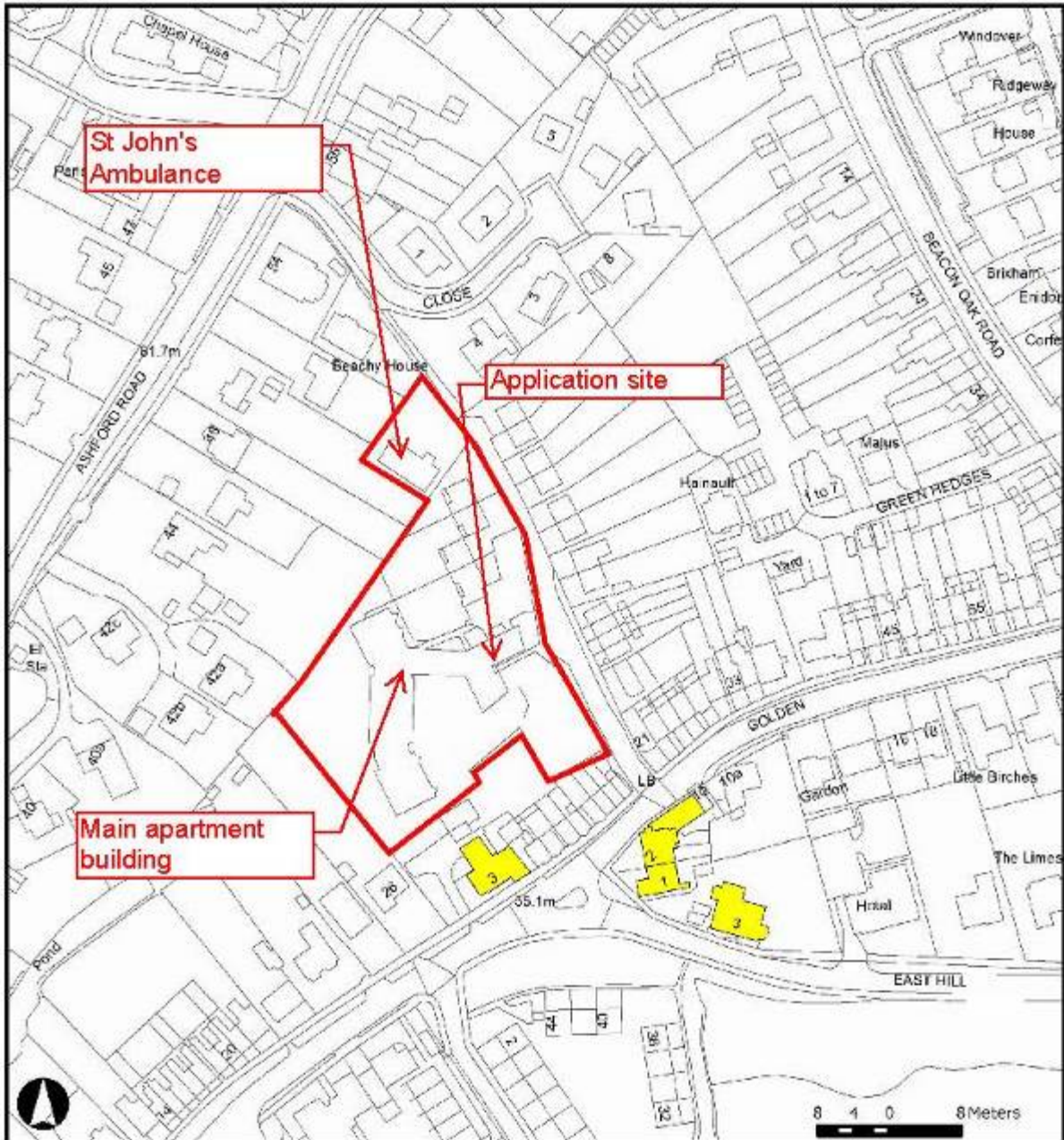
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Annex 1



# 15/01160/AS - Danemore



- Listed Building
- LISTED
  - DELISTED
  - REMOVED
  - UNKNOWN

Homes of Multiple Occupancy



Risk Register



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