

<b>Application Number</b>	16/01164/AS
<b>Location</b>	Land south of junction of Beaver Road and Victoria Road, Ashford, Kent.
<b>Grid Reference</b>	00977/42120
<b>Parish Council</b>	None
<b>Ward</b>	Victoria
<b>Application Description</b>	Full planning application for a 120 bedroom hotel and associated parking, landscaping, substation and access works.
<b>Applicant</b>	HDD Ashford
<b>Agent</b>	Nathaniel Lichfield & Partners
<b>Site Area</b>	0.28

- (a) 201/10 R, 2S, 2X (b) - (c) KCC (Eco) X, KHT X, N. Rail (HS1) X, KCC (Arch) X, Stagecoach X, SACF X, SW X, PROW X, NE X, POL X, UK Power X, SG Networks X, VBRAG R, KCC Flooding X, PO(Drainage) X, EHO (EP) X

## Introduction

1. This application is reported to the Planning Committee because the application is a major and significant development and, as such, is required to be determined by the Planning Committee under the Council's scheme of delegation.
2. The proposal has been the subject of pre-application discussions helping to refine the appearance and layout to positively respond to the site context and the need for high quality development at the eastern end of Victoria Road. This is important as the application site (shown on Annex 1) forms the entrance corner into the Southern Expansion Quarter as defined in the Council's Ashford Town Centre Area Action Plan (TCAAP) 2010.

3. The proposal, along with the proposals in relation to applications 16/01157/AS (brewery, small commercial units and 216 apartments) and 16/01167/AS (superstore) was the subject of a Design Review in early 2016. A copy of the Design Panel's letter is attached as an Annex 2 to this report.
4. Applications 16/01157/AS and 16/01167/AS were reported to the Committee on 19/10/2016. Members' resolved to grant planning permission for both developments. This application completes the series of proposals by the applicant for the eastern end of Victoria Road.
5. During the course of dealing with the application, the applicant has addressed consultee responses alongside my feedback and has made further refinements to the scheme as a result. In my opinion, in the specific context of this proposal, none of the changes that have been made necessitate further general consultation.

## **Site and Surroundings**

6. The site comprises a total 0.28 ha site involving land on the southern side of Victoria Road and with a return frontage to Beaver Road. The site is not located in a designated Landscape Character Area. There are no listed buildings within or adjacent to the site. The site is not located in a conservation area.
7. The site surroundings comprise a mixture of business uses (predominantly on the southern side of Victoria Road further to the west), a residential area further to the south-west & west (comprising Victoria Crescent and homes on Victoria Road opposite the primary school), Victoria Road itself, a petrol filling station on Beaver Road immediately to the south and the domestic and high speed railway lines located north of Victoria Road.
8. The application site is on the south-eastern side of the Beaver Road/Victoria Road junction. Immediately to the north is Victoria Road and further to the north is the land subject of application 16/01157/AS for the creation of a brewery. To the east of the site is Beaver Road. To the south of the site is a petrol filling station. To the south-west and west of the site is the land subject of application 16/01157/AS for the erection of 200 Build to Rent apartments and apartments over commercial units fronting Victoria Road.
9. The annotated aerial image from my report on application 16/01157/AS is reproduced below with the application hotel area forming the hotel and the Victoria Road/Beaver Road grassed street corner both annotated.



10. The site has a slight fall from north to south and sits at a lower level than the street system. The grassed street corner to the junction has higher quality paved route around the perimeter of the grassed space. The latter was constructed as part of the Victoria Road enhancement works. Remnants of the original footway exist and a pedestrian desire line around the corner has resulted in an unmade track being created as the image below illustrates.



11. The site contains a number of trees / groups as follows;-
- (ii) x 1 'Category C' tree (generally unremarkable trees of compromised structure and signs of stress) and
  - (ii) x 1 'Category U' tree being in poor structural/physiological condition and

state of decline requiring removal on grounds of sound arboricultural management

## The proposal

12. Full planning permission is sought for the development of a 120 bedroom hotel and associated parking, landscaping, substation and access works.

### Vehicular access, parking and substation

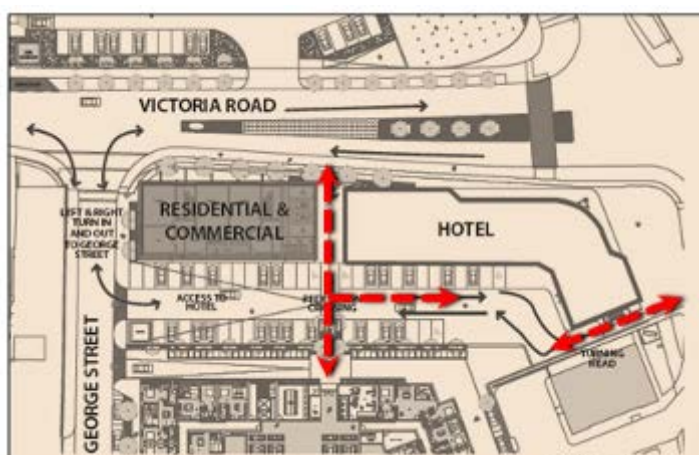
13. Vehicle access to the hotel would be from George Street. The access would also serve car parking spaces serving the small commercial units and x 16 market sale apartments that Members resolved to grant planning permission for as part of application 16/01157/AS. This common vehicular access would lead to a 49 space car park located to the rear of the hotel. The proposed hotel building would shield this car park from views from Victoria Road.
14. The landscape master plan shows that the hotel car park would be separated from the access street serving as vehicular access to the 'super lounge' main entrance in application 16/01157/AS by a linear hedge and tree planting arrangement. This soft landscaping would provide a visually soft edge to a linear bin store proposed to serve the proposed apartments to the south.
15. Cycle parking and parking spaces for people with disabilities would be located as close as possible to the ground floor entrance lobby and circulation core. The circulation space within the car park is shown on the applicant's tracking plot plans as being sufficient to accommodate the turning movement of a large vehicle such as a coach or refuse collection vehicle so that it may enter and leave the site via George Street in forward gear.
16. The southern edge to the car park would comprise a hedge beyond which would be an access (servicing and cars) for the 'Build to Rent' apartments subject of application 16/01157/AS.
17. Since the application was submitted, the applicant has:-
- (i) confirmed that a barrier system would be proposed to the car park and has requested that the detail of this be subject of a planning condition,
  - (ii) identified that parking allocated to occupiers of the apartments and commercial floor space in the adjacent building would be surfaced differently to help make the parking arrangements legible to hotel users, and
  - (iii) moved parking spaces eastwards from George Street sufficient to enable the creation of a soft landscaped boundary towards George Street either side

of the access point. This has resulted in the loss of one car parking space from the 50 spaces as originally submitted.

18. In the context of this specific site, none of the changes identified in the previous paragraph have necessitated any need for further general consultation due to their minor nature.
19. Common with application 16/01157/AS, the application includes the provision of a substation on the George Street frontage. Precise details are not known at this stage and the applicant proposes that these be secured by planning condition.

#### Pedestrian access to hotel and car parking

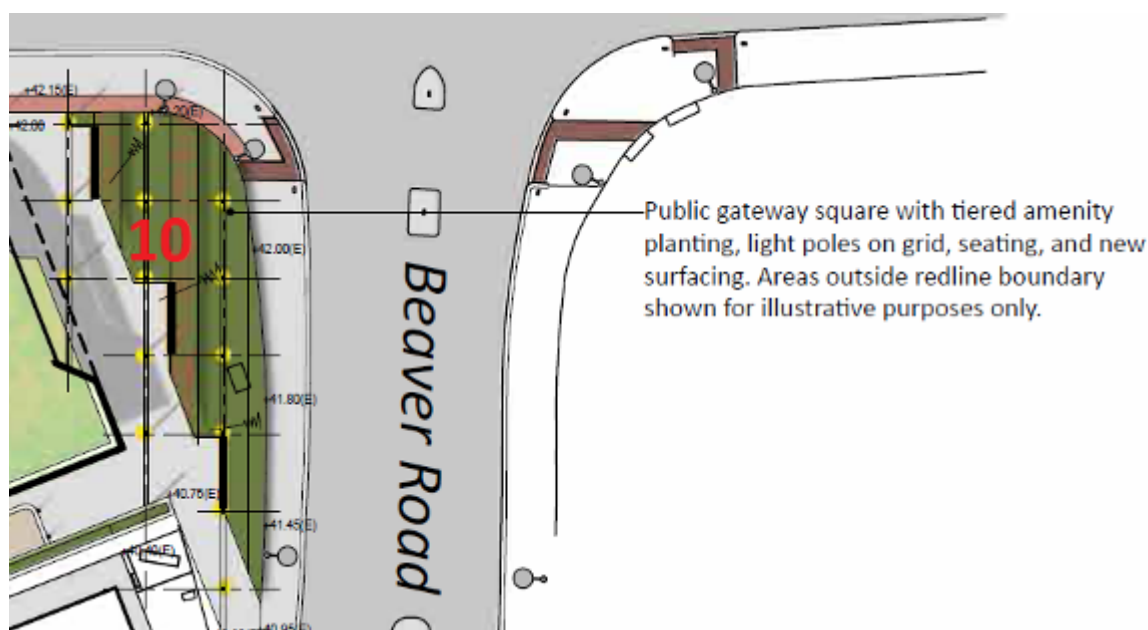
20. The entrance into the hotel for pedestrians would be via the circulation core located to the south-west of a glass atrium that would be presented to the Victoria Road/Beaver Road street corner as the component of the hotel building with visual 'landmark' qualities. The layout shows that the core would be assessable from both the street corner and from the eastern end of the hotel car park.
21. Pedestrian access from Beaver Road into the hotel car park would be available in the gap between the flank wall of the Beaver Road 'wing' to the hotel and the petrol filling station located beyond. The applicant has confirmed that a low wall would be provided to subdivide the hotel site from the Build to Rent apartments to the south-west.
22. Pedestrian access from Victoria Road into the hotel car park would be through the gap between the Victoria Road wing and the residential over commercial units building proposed further to the west. This route would also serve as a thoroughfare through the hotel car park to the 'super-lounge' main entrance into the Build to Rent apartments forming application 16/01157/AS. The image below shows these movements.



23. The defined application site includes this gap in proposed new frontage to Victoria Road and in common with application 16/01157/AS considered by the Planning Committee at the October 2016 meeting the applicant proposes that this gap is provided with bollards to prevent any attempted vehicular access from Victoria Road as well as having potential for placement of public art.

Layout, scale, architectural style, massing and appearance of the building

24. The site layout flows from the geometry of the bordering street system and is interrelated with the approach to development of the brewery on the opposite side of Victoria Road.
25. Common with application 16/01157/AS the proposed layout would place the hotel building close to Victoria Road and includes on the hotel's northern side the provision of linear tree planting (to mirror the planting approach established on the northern side of Victoria Road) in a bound material to be agreed with Kent Highways and a combined minimum 3m width cycleway/footway. This approach would then continue westwards along the frontage of the residential over commercial building forming part of application 16/01157/AS.
26. The Beaver Road wing would have a similarly strong relationship with Beaver Road north of the petrol filling station. In the application as deposited with the Council, the grassed corner forming part of the public highway was shown as being an area that could be visually upgraded in quality so as to be appropriate as the immediate hinterland of a proposed hotel.
27. The applicant identifies that the intention is to discuss further with Kent Highways and Transportation how this triangle of land could be visually enhanced with works being carried out through a separate agreement. As such, the proposals were identified as being 'indicative only' and, for this reason, not part of the application for planning permission within the red-line application site plan. An extract from the landscape master plan is shown below. The suggested enhancement palette comprises use of hedge and soft landscaping along with hard landscaping to match the Victoria Road scheme and possible provision of seating and lighting features.

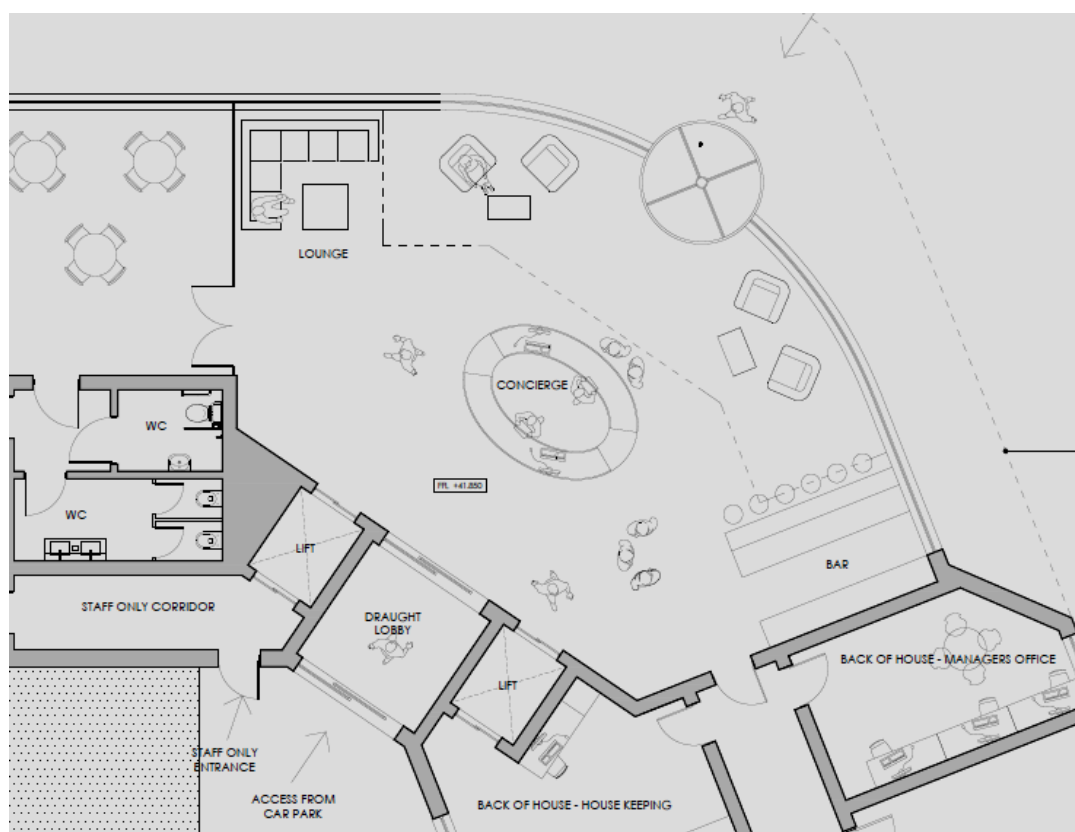


28. The applicant's landscape sections also establish the intention for an upgraded street corner to have paving that would then be carried through into private forecourt around the hotel entrance in a visually seamless manner.
29. On the boundary between the hotel and the northern side of the petrol filling station located on Beaver Road, a green wall is proposed as a way of creating a more attractive boundary than presently exists. A similar approach is proposed to the two other petrol filling station boundaries in application 16/01157/AS.
30. The hotel is proposed to be 5-storeys in height, being the same height as the residential over commercial building forming part of application 16/01157/AS which Members; resolved to grant planning permission at the October 2016 Planning Committee.
31. The scale of hotel would be as follows;-
  - (a) 16m high,
  - (b) 14m deep,
  - (c) 48m in width presented to Victoria Road (including corner), and
  - (d) 21m in width presented to Beaver Road (including corner).
32. The hotel would have a rectangular plan form arranged as two 'wings' of different length joined by a ground floor entrance lobby at the junction corner. The longest wing would front Victoria Way and the shorter wing would return along and front onto Beaver Road Within each wing, rooms would be arranged on either side of a central corridor. The hotel's restaurant would be located at ground floor level on the Victoria Road wing with a glazed frontage



to the street. The hotel kitchen would be located on the southern car park facing elevation.

33. The rear section of the join between the two wings would be the lift cores giving access to upper floors (with stairs to upper floors being provided elsewhere within each wing). The ground floor would accommodate generous circulation space, a concierge, and lounge and bar. The image below shows the ground floor corner arrangement.



34. Stacked above this area vertically on each upper floor would be a small lounge sitting area and atrium beyond. The atrium would not extend over the full ground floor plan. Beyond the outer glazed curtain wall of the atrium would be a void to a series of external bands rapped around the corner of the building at each upper floor level. The image below shows this arrangement at second floor level.





35. The Design and Access Statement identifies that the street corner is designed to have landmark qualities as part of an approach to create a strong sense of gateway to the entrance into Victoria Way as an important urban street with a boulevard character.
36. The massing and appearance of the building would take two different approaches to help achieve a building with these qualities. Firstly, in respect of the Victoria Road and Beaver Road wings, massing would be consistent, rising vertically as rectangular 5-storey blocks and therefore being similar to the massing and appearance of the residential over small commercial units block proposed to front Victoria Road further to the west.
37. Secondly, the massing and appearance of the street corner join between the two wings would take a strongly contrasting approach. The ground floor entrance lobby would have a broadly elliptical plan form and this 'outer edge' would be expressed externally on all upper levels as a feature through the use of a series of horizontal 'bands' aligning with each upper floor level of the hotel.
38. The architectural style would be modern. The bands around the elevations at upper floor level would be metal and would give the wings a strong horizontal emphasis.

39. The bands are shown on the proposed elevations between each floor above first floor level. The plans identify the bands as generally being recessed and regular in width. They are included on all elevations. At ground floor ceiling height level a similar band is proposed on the street frontage in render rather than in metal. This would flow with a sculptural fluid quality into the adjacent ground floor rendered walls. The annotated CGI image below shows the corner, how the bands would and the strongly glazed ground floor to the street.



40. The proposed materials include;-
- ground floor grey render
  - floor to ceiling height windows
  - full height glazing to the ground floor restaurant and entrance lobby
  - gold coloured cladding panels
  - gold vertical louvres alongside upper floor windows to add interest
  - feature metal channel 'bands'
41. The applicant identifies that the gold coloured cladding panels are proposed to tie in with the yellow tones of the bricks to be used for the adjacent proposed residential development with the grey render picking up the grey tones of balconies to apartments. A close up of the panels, louvres and glazing is shown below.



42. The roof to the hotel would have a recessed parapet enabling lift overruns to be visually shielded. The plans show that a green sedum roof would be provided, thus adopting a similar approach to biodiversity and surface water management as all of the proposed buildings on the southern side of Victoria Road.

#### Operation and servicing

43. Hours of servicing are not yet known but operation is likely to be 24hrs.
44. A ground floor refuse store would be provided with doors to the turning area space provided at the eastern end of the car park.

#### **Application Supporting Documents**

45. The applicant has submitted a comprehensive suite of supporting documents for applications;-
- (i) 16/01157/AS (the brewery, commercial units and residential) – described the applicant as ‘Application A’,
  - (ii) 16/01164/AS (the hotel) – described the applicant as ‘Application B’ and,
  - (iii) 16/01167/AS (the superstore) – described by the applicant as ‘Application C’.
46. Many of these reports are common to each of the applications. This ‘combined’ approach is taken forward in the majority of the brief summaries below with any issues specifically informing the approach to application

16/01164/AS then identified. Where a report is completely specific to the current application, this is also identified at the start of a paragraph.

Arboriculture Impact Assessment (Combined Report)

- AIA1. Specific – Tree cover within the site (as opposed to within Victoria Road), involves 15 low quality (Category C) self-set trees in derelict ground. These are considered to be unremarkable examples of their type typically with compromised structure, signs of stress, trees of indifferent structural and physiological appearance and of limited transient amenity value and thus are considered to be able to be readily replaced without significant individual impact on the amenity of the area.
- AIA2. General - The AIA concludes that subject to appropriate mitigation planting, the proposals put forward within application A, B and C, allow for technical confidence in the long-term viability of retained and appropriate tree cover and would not result in harm to the wider treescape, particularly those along the southern boundary within application A. The principles of the proposed developments are therefore considered appropriate from an arboricultural perspective. The adoption of appropriate mitigation planting proposals, arboricultural input during detailed design, and the adoption of future safeguards for protecting trees are all highlighted as being necessary.

Air Quality Assessment (Combined Report)

- AQA1. General - The Air Quality Assessment report states that the sites are not situated within an Air Quality Management Area (AQMA) and background concentrations of NO<sub>2</sub> and PM<sub>10</sub> are anticipated to be well below the respective national Air Quality Objectives (AQO). The report also states that transport emissions are expected to be the main source of air pollution in the vicinity of the sites.
- AQA2. General - The report states that during the construction phase the proposed development is classed as being 'medium risk' in terms of dust impacts if construction works are progressed on all sites concurrently. The AQA concludes that dust minimising measures during construction should be implemented as detailed in the report.
- AQA3. General - The report identifies that during the operational phase the effect of traffic emissions resulting from the schemes have been judged as 'not significant'.
- AQA4. Specific – Combined Heat and Power Plant technology would be introduced as part of Applications A and C. This has the potential to increase concentrations of NO<sub>2</sub> but as predicted concentrations in operation would be

below the ACQ it is considered unlikely that CHP emissions would result in significant impacts at existing or future receptors.

- AQA5. Specific - The report also states that dispersion modelling of CHP emissions may be required depending on size of the proposed plant to ensure no significant impacts at existing or newly introduced receptors..

Archaeological Assessment (Combined Report)

- AA1. General - The AA states that there are no designated heritage assets such as World Heritage sites, Scheduled Monuments, Historic Battlefield or Historic Wreck sites that have been identified within the study site or its immediate vicinity. In terms of local designations the site does not lie within an identified area of archaeological potential.
- AA2. General - The report asserts that the site can be considered likely to have a modest potential for the Roman and Post Medieval/Modern periods. Past post-depositional impacts at the study site are considered likely to have been severe as a result of previous development and demolition.
- AA3. General - The report asserts that the site can be considered likely to have a modest potential for the Roman and Post Medieval/Modern periods. Past post-depositional impacts at the study site are considered likely to have been severe as a result of previous development and demolition.

Ecological Appraisal (combined report)

- EA1. General - The EA states that an area adjacent to the south of Site A is subject to statutory designation as part of Ashford Green Corridors LNR, whilst the Great Stour river adjacent to this southern boundary forms part of the non-statutory Great Stour Ashford to Fordwich Local Wildlife Site designation
- EA2. General - The Ecological Appraisal report states that the application sites were surveyed in February 2016 (with update work undertaken in July 2016) based around extended Phase 1 methodology as recommended by Natural England. In addition, a general appraisal of faunal species was undertaken to record the potential presence of any protected, rare or notable species. Further survey work is recommended for reptiles and invertebrates across all sites, whilst surveys for bats, Water Vole and Otter are specifically recommended in respect of site A.
- EA3. General - The EA states that the sites support a mosaic of habitats including sparse vegetation, tall herb, scrub, trees and hardstanding. These habitats support only common and widespread species.

- EA4. General - The EA also states that Site A offers some potential opportunities for protected and notable faunal species namely bats, Water Vole and Otter, whilst all three sites support potential opportunities for reptiles and invertebrates. As such, it is recommended that further survey work is undertaken to provide an assessment of these species groups. Common mammal and bird species are also likely to make some use of all three sites. As such, the report sets out recommendations for mitigation measures for faunal species to ensure they are safeguarded under the proposals.
- EA5. General - The EA concludes that the proposals seek to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensatory measures, it is considered unlikely that the proposals individually (or cumulatively) would result in significant harm to biodiversity.
- EA6. Specific – The EA identifies that part of sites A and C are considered to support the priority habitat ‘Open Mosaic Habitat’, considered to be of low-moderate ecological value at the local level. Site C includes a 0.23 ha area of this type of habitat. Although both limited in extent and considered to be of relatively low interest, the EA makes a number of recommendations;-
- (i) tree and shrub planting for Site C should involve species chosen for their wildlife value and include nectar or pollen rich or fruiting varieties that would help provide a diverse food source and shelter for a range of wildlife, and,
  - (ii) detailed design work for Site C should be informed by the results of any further invertebrate survey work and incorporate any specific habitat features for interest species.

Desk Top Study Environmental and Contamination (specific)

- E&C1. Specific - The report states that in light of the information derived from this desk study it is considered that an intrusive investigation should be undertaken and that soil and ground water contamination testing is required on this site. This investigation should be concluded prior to detailed design.
- E&C2. Specific – The report states that a sampling strategy, based on BS 10175, Para 7.6.2.5, should include sampling points randomly positioned within a suitable grid. If groundwater is encountered at shallow depths then water samples should be taken for chemical analysis.
- E&C3. Specific – Once findings of intrusive ground investigation are made available, the report details the need for a site remediation strategy involving the following measures;-
- (i) Contamination sampling to determine extent of any identified hot spots
  - (ii) Removal of remaining buildings and site wide vegetation scrape with all

material removed from the site

(iii) Decontamination where necessary as a result of investigations

(iv) If perched ground water is found, remedy the water by removing contaminants using specialist on-site receptors with all residual contaminated water tinkered off-site

(v) Capping of the site by the import of clean granular material

- E&C1. Specific - The report concludes that the proposed development would provide large areas of impermeable surfaces and cover of the existing site, it is envisaged that all end users of the completed scheme would be at a low risk from any residual contamination.

#### Economic Benefits Assessment (Combined Report)

- EBA1. The Economic Benefits Assessment summarises the economic and fiscal effects generated by the proposed mixed-use developments at Victoria Road in the table below, with the estimated economic and fiscal impacts of the developments associated with each application also summarised. Application B – the application subject of this report - is highlighted in green with applications 16/01157/AS and 16/01167/AS highlighted in red.

Economic and Fiscal Effect	Planning Application			Total
	A	B	C	
<b>CONSTRUCTION EFFECTS</b>				
Construction Cost	£45.0m	£8.0m	£2.0m	£55.0m
Construction Period (years)	1.5	0.5	0.5	2.5
Person-Years of Construction Work	500	90	20	610
Temporary Construction Jobs (p.a.)	335	180	45	245
Indirect & Induced Jobs (p.a.)	505	270	65	370
Total Direct & Indirect GVA (p.a.)	£8.6m	£1.5m	£0.4m	£10.6m
<b>OPERATIONAL EFFECTS</b>				
Total Direct Jobs	40	60	60	160
FTE Direct Jobs	35	40	35	110
Direct GVA (p.a.)	£2.4m	£1.0m	£1.5m	£5.0m
Indirect & Induced FTE Jobs (regionally)	15	20	15	50
<b>RESIDENT EXPENDITURE EFFECTS</b>				
'First Occupation' Expenditure	£688,000	-	-	£688,000
Total Gross Resident Expenditure (p.a.)	£6.9m	-	-	£6.9m
Net Additional Resident Expenditure (p.a.)	£3.9m	-	-	£3.9m
FTE Indirect Jobs Supported	40	-	-	40
<b>FISCAL IMPLICATIONS</b>				
New Homes Bonus Payments (set 6 years)	£1.9m	-	-	£1.9m
Council Tax Receipts (p.a.)	£316,800	-	-	£316,800
Business Rates Payable (p.a.)	£89,500	£112,000	£184,100	£365,600

- EBA2. The EBA also states that the proposed development scheme at Victoria Road would benefit the local area in Ashford town in a variety of other ways that would enhance the socio-economic profile and prosperity of the community.



Some of the key benefits of the proposed developments in wider socio-economic terms include the following:-

- (i) Improve the residential environment in Ashford town by delivering a high quality mixed-use development scheme that would include 216 new residential units, which would increase local housing supply in the area and support a higher share of the local housing requirements in the locality,
- (ii) Deliver a large component of the scheme as Build to Rent units, which would help to meet a gap in the local housing market in Ashford and Ashford town where only a limited share of private rental housing is currently offered to meet the needs of a growing group that either prefer the benefits of private renting or simply cannot afford home-ownership,
- (iii) Support a mix of household types that would contribute to a more diverse community within the local area including accommodating a higher share of younger professionals and upper tier workers in Ashford town who – it can be assumed – would improve the overall socio-economic profile of the local community,
- (iv) Support the local business community in Ashford town by generating increased levels of resident expenditure in the local economy as well as accommodating a range of new commercial uses as part of the mixed-use scheme that would boost the image of the area as a business location,
- (v) Activate improvement to the public realm surrounding the proposed sites in the wider Ashford town centre area, which would boost the local area as a mixed-use environment, and potentially act as an important catalyst for further private sector investment and regeneration in Ashford town,
- (vi) Support the vitality and viability of Ashford town centre by delivering new retail uses in the area, as well as delivering a new brewery attraction and a new 120 bedroom hotel, which would contribute to the visitor economy in the Borough, and
- (vii) Contribute to critical mass in the local area that would support the delivery of new social and community infrastructure provision (i.e. through planning contributions), which would help to increase community cohesion and quality of life in the local area.

Energy Strategy Report (combined)

- ES1. General - The report provides a cumulative assessment that addresses the energy consumption and associated carbon emissions and offset payments required of all three applications.
- ES2. General - The report states that the table below concludes the predicted CO2 savings for each Plot and highlights the total development impact.

Plot	Estimated annual energy consumption (kWh/year)	Estimated annual CO <sup>2</sup> emissions (tCO <sup>2</sup> )	% Reduction from baseline	Carbon offset cost
Plot 1 – Brewery	116,598.76	33.04	23.62	£10,575.80
Plot 2 – Residential	745,347.91	219.97	37.22	£82,931.15
Plot 2 – Commercial	5037.23	5.04	45.70	£ 1,900.14
Plot 3 -Hotel	296,630.8	153.36	22.38	£57,818.44
Plot 4 – Aldi	51,971.1	26.87	28.67	£ 10,130.29
Total Site	1,212,563.90	434.73	177.95	£162,017.53

- ES3. General - The report states that each of the applications will detail the fabric design measures and building services that are proposed to meet the results set out at ES2 above.
- ES4. General - The report concludes that that each proposed development would exceed Ashford’s carbon dioxide emission targets through the use of on-site low zero carbon technologies. Surplus CO2 to achieve zero carbon is to be captured through Ashford’s Carbon off-setting scheme as no other renewable solution is deemed feasible.
- ES5. Specific – The integration of various renewable technologies has been explored and the combination of a Combined Heat and Power (CHP) led community domestic hot water system and air source heat pumps would allow carbon dioxide reductions in accordance with Policy CS10 alongside carbon off-setting. In terms of using renewables, photovoltaics have been explored as the most feasible but the amount of open roof space required – 2000 sq.m – means that this solution is impractical.

External Lighting Report (combined)

- EL1. General – A combination of energy efficient luminaries with control equipment will be used to ensure lighting is appropriate but upward lighting will be minimised reducing light pollution, energy consumption and nuisance to

residents. Each scheme would be developed to comply with the Council's Dark Skies' SPD.

- EL2. General - The report provides a cumulative assessment that addresses the external lighting levels achieved for all three applications. The report then goes on to state the average LUX for each plot. It is stated that each plot would be compliant with the relevant recommendations, ensuring the lighting design does not have adverse effects on the residential areas and river corridor.
- EL3. Specific – external light fittings would be controlled through a time switch/daylight sensor to prevent unnecessary operation in daylight hours with LED directional luminaires used to minimise glare and adopt a task light approach. The Institute of Lighting Engineers' guidance on the reduction of obtrusive lighting (2005) would be complied with and any required safety and security lighting used between 23:00 and 07:00 would adopt lower levels of lighting. Subject to operational requirements, all other external lighting would be automatically switched off (by time switch) between 23:00 and 07:00. Low height column lighting would be provided throughout the car park.

#### Flood Risk Assessment (specific)

- FRA1. Specific - The FRA states that as a result of consultation with the Environment Agency the site is located outside of the recognised flood zones and is classified as falling within Flood Zone 1 (as defined in the NPPF – Low Probability of Flooding).
- FRA2. Specific – The FRA identifies that overall, the proposed development is considered unlikely to cause significant effects on the environment through flooding.
- FRA3. Specific - The FRA states that the site's previous use made it predominantly impermeable and is assumed to have been served by public sewers.
- FRA4. Specific - The FRA concludes that the use of infiltration based SUDs is not suitable due to the nature of the proposed development and the unsuitable ground conditions. However, surface water attenuation is proposed to be provided utilising below ground tanks or oversized pipes. Suggested considerations are green roofing – shown on the roofs of the Victoria Road frontage building and Build to Rent building - and permeable paving.

#### Landscape Design Statement (combined report)

- LDS1. General - The Statement suggests that the landscape proposals would create an attractive, formal, and robust 'urban type' landscape scheme across the

three application sites that would reflect its town centre location, and reinforce the existing Victoria Road 'boulevard' character. The proposed material palettes would, through a consistent approach, create a unified public and semi-public realm, and would include 'Kentish Landscape' design elements that would create a strong 'sense of place'.

- LDS2. General - 'Water' and 'landscape orientated SUDs' elements are suggested as providing visual and physical links to the Great Stour riverside.

Noise Impact Assessment (combined report)

- NIA1. General - The Assessment states that the applications have been considered separately and cumulatively and recommendations have been made for noise mitigation. Details of mitigation would need to be finalised post grant of permission once scheme details are finalised but calculations using worst case assumptions have been made and appropriate noise mitigation has been presented. It is considered that this demonstrates that noise can be effectively controlled under such worst case conditions such that appropriate criteria will be met.
- NIA2. General - The cumulative noise impact of the three schemes would be acceptable when considered against planning policy, with appropriate mitigation in place.
- NIA3. Specific - The report asserts that the noise from servicing of the hotel is unlikely to affect existing noise sensitive premises due to the distances between source and receptors.
- NIA4. Specific - The report concludes that the noise from mechanical services proposed at the hotel can be controlled by a condition limiting levels.

Planning Statement (combined report)

- PS1. General - The PS sets out the rationale for the redevelopment of the three sites and the key principles of the development alongside policies set out within national policy and the statutory development plan.
- PS2. General - The PS states that the proposals are considered to follow the principles of the allocation within the adopted Town Centre Area Action Plan 2010 and have been informed by the previous planning permission for the site's redevelopment.
- PS3. General - The proposed development would deliver a mix of market and Built to Rent (Build to Rent) housing and a number of wider benefits for the town centre.

PS4. General - The PS states that the development would create a number of benefits for Ashford town centre, the local community and the wider Borough. These include:-

- a. Approximately 160 extra jobs,
- b. An injection of around £55m of private sector investment into Ashford,
- c. An enhanced town centre evening economy through the introduction of additional town centre residents (and their spending) and a new brewery with an evening economy offer,
- d. Improved consumer choice by providing a new superstore not currently represented within Ashford,
- e. Improved vitality and viability of the town centre through increased (£3.8million a year) net additional resident expenditure in local shops and services in Ashford town centre,
- f. Improved mix of housing within Ashford. BtR would be new to Ashford and would widen housing choice by filling a gap for high quality rental
- g. Assist the retention of local people who want to stay in Ashford but who cannot afford to buy a home
- h. Appeal to a younger demographic attracted by town centre living, excellent transport connections and high quality rental accommodation and public realm
- i. Give rise to an additional £50million in economic output (GVA) over 10 years
- j. Represent an efficient use of urban land helping to reduce pressure to develop in other areas

PS1. General - The PS concludes that overall, the proposals would enable the comprehensive regeneration of an important town centre site which is currently vacant and provides a poor gateway and sense of arrival to Ashford and the town centre. The proposals are considered to be in accordance with national and local planning policy and guidance and therefore planning permission should be granted.

Statement of Community (combined report)

SC1. General - The report states that the U+I Group promoted 4 days of public exhibition / consultation events which were held close to the site – 2 days at

the McArthur Glenn Designer Outlet Centre and 2 days at the County Square Shopping Centre – through a variety of methods: an advertisement in the Kentish Express; newspaper articles; launching their own website; a door drop to 300 local homes and businesses; working with the Council to promote through their webpage; and by holding a preview of the consultation for invited local stakeholders.

- SC2. General – The report identifies that the public exhibition / consultation materials consisted of a very large display which featured CGI images of the different aspects of the proposed Victoria Road developments.
- SC3. General - The report states that over the 4 days of public exhibition / consultation events, 339 people completed the iPad questionnaire. It should be noted that very often the person conducting the questionnaire was often speaking to couples and small family groups; therefore it is believed that the total number of people engaged with the proposals was actually a higher number than the recorded 339 total.
- SC4. General - The report concludes that analysing the data provided about postcodes, the highest representation was from people living within the postcodes starting TN23 and TN24, i.e. close to the sites. From outside the “TN” postcode area, the highest representation was from those living within the “CT” postcode area.

#### **Transport Assessment (combined report)**

- SC5. General - The TA describes the access arrangements and states that the proposals will be accessed by several priority T-junctions at different locations along Victoria Road and George Street. The developments have been designed so as to be permeable to pedestrian and cycle access, as well as to be accessible to service vehicles including those carrying out refuse collection.
- SC6. General - The TA then goes on to describe the parking standards and states that the proposed vehicle and cycle parking provision for each of the three development sites would comply with the relevant local parking standards.
- SC7. General - The TA describes non-car access and asserts that the sites are within walking distance of a wide range of facilities including supermarkets, schools, leisure destinations, employment areas and the centre of Ashford. There are further facilities within the cycling catchment of the site, allowing further opportunities in terms of education and employment and a choice in terms of leisure and shopping facilities.
- SC8. General – The TA identifies that a large residential catchment is within walking distance of the proposal site, providing opportunities for any staff to

walk to work. All three sites are considered accessible by public transport, with 26 bus services serving bus stops local to the site and up to 17 domestic rail services per hour in each direction from Ashford International Station. The development sites are all accessible to the local and strategic road network.

SC9. General - The TA states that in relation to road safety statistics no pattern of accidents has been identified within the study area which might have a negative bearing on the acceptability of the proposed development.

TA1. General - The TA identifies that in relation to traffic assessment and capacity modelling, the assessment of development impacts is considered robust in its conclusion that:-

(i) the proposed traffic increases arising from the developments would be modest,

(ii) the impact of the proposed development on the operation of local junctions would be modest,

(iii) the proposed site access junctions would all operate within capacity, and

(iv) the three applications are acceptable from a transport perspective both individually and cumulatively notwithstanding that improvements to the capacity of local highway network are being proposed by others.

#### Ventilation and Air Exhaust Discharge Strategy (specific)

V&AED1. Specific – The indoor environment would be designed so that occupants comfort and health are assured. Ventilation design would follow best principles of industry practice.

V&AED2. Specific – Air would be extracted from each guest bedroom in accordance with the flow rate set out in the Building Regulations either from either a centralised ducted system or utilising individual heat exchange units to each room.

V&AED3. Specific – Individual guest bedroom heat exchange systems would be an option triggered by key card entry to a room. Grilles would be provided to bathrooms. Acoustic requirements would be taken into account per bedroom with appropriate attenuation provided. The Strategy suggests this is the preference.

V&AED4. Specific – Centralised bedroom systems would be an alternative option where planning restrictions prevent the installation of grilles/air bricks to the external elevations and or the acoustic requirements cannot be achieved by individual systems. Each bedroom would require an air valves connected to riser ducts



terminating at a central Air Handling Unit (AHU). The AHU would be required to be located within a suitable location that would not cause noise or vibration disturbance to occupants.

#### Utilities Report (combined)

- UR1. General - The report states that investigations into the relevant utility companies' apparatus in the vicinity of the site have been undertaken. Applications to these utility companies for new connections has and will be carried out for the diversion of existing utility infrastructure in or affecting proximity to proposed development.
- UR2. General - The report then goes on to say that from various infrastructure sources has been provided and summarised for the following below ground mechanical and electrical engineering services: water, electricity, telecommunications, and gas.
- UR3. General - The report also asserts that an underground services radiography survey is carried out prior to any construction works to assist in verifying the precise location of buried underground services as the accuracy of the information from the statutory authorities cannot be relied upon.
- UR4. General - The report then concludes that consultations need to be undertaken with local utility asset owners who may have apparatus in and around each plot. This allows strategies to be developed which can ensure each application can be accommodated within the local infrastructure network in order defined scopes of work can be prepared with associated costs.

## **Planning History**

98/01373/AS      Outline Application for mixed use development comprising an hotel, associated A3 and leisure uses, offices, housing and car parking and new access road.

This application was granted 15/03/99 and was not implemented.

04/02195/AS      Outline application (with all matters reserved) for mixed use development incorporating up to 355 residential units (of which up to 261 dwellings will be provided on Block C) comprising a mix of 1 and 2 bed units, retail food and drink (A1, A2, A3, A4, A5) up to 1731m<sup>2</sup>, business or education - 19285m<sup>2</sup>, with an additional 1595m<sup>2</sup> of business/leisure floor space, and hotel/leisure up to 119 bedroom hotel with facilities (6169m<sup>2</sup>).

This application was granted 16/04/2008 and was not implemented.

08/01122/AS

Erection of 261 dwellings together with 6 commercial ground floor units, related car parking and landscaping

This application was disposed of as undetermined in November 2011.

16/01157/AS

Full planning application for development of a brewery, with shop, bar and restaurant (Use Classes B2/A1/A3/A4), three commercial units (Use Classes A1/A2/B1) and 216 residential units with associated parking, substations, landscaping and access works

Subject to conclusion of an acceptable surface water drainage strategy and subject to the completion of a s.106 agreement, this application was resolved 19/10/2016 to be permitted.

## Consultations

**Ward Members: One of the Ward Members is a member of the Planning Committee .** No comments received.

**KCC Ecology** – No objection and state as follows;-

'We have reviewed the submitted ecological survey submitted for all three planning applications and have the following comments to make:

The proposed development is located within a BAP habitat - area of open mosaic habitat within previously developed land. The following surveys have been carried out within the three sites:

- Bat Activity
- Otter
- Water vole
- Reptile
- Invertebrate

The results of the surveys provide a good understanding of the ecological interest of the proposed development site. The surveys have confirmed the following:

- Common Lizards, slow worms and grass snakes recorded throughout the development sites.
- At least 3 species of foraging bats – greatest interest was long the river bank in the south of the development site.
- 256 terrestrial invertebrate species were recorded ( including 2 Red Data Book

species, 9 Nationally Scarce species and 25 Nationally Local Species)

### Bats

The bat surveys have detailed that the greatest foraging/commuting interest is along the river bank. An 8-12 metre vegetated buffer will be created along the river bank and there is a need to ensure that it is designed to increase foraging opportunities and avoid an increase in lighting. If planning permission is granted we advise that a detailed landscaping plan must be produced to demonstrate that the area along the river bank is designed to benefit bats.

If planning permission is granted a detailed landscaping plan and lighting strategy must be produced and submitted as a condition of planning permission.

### Reptiles

The reptile surveys have confirmed that 3 species of reptiles are present within the site and due to the site design the reptiles will have to be translocated to an offsite receptor site if planning permission is granted. No information has been provided on the proposed receptor site and due to the time of year it is impossible to find and survey a potential receptor site.

Ideally details of the proposed receptor site should be identified prior to determination in order for ABC to be satisfied that the required mitigation can be implemented. However if ABC are minded to grant planning permission we advise that there is a need for a detailed reptile mitigation strategy to be produced and submitted to ABC prior to works commencing (including vegetation clearance) as a condition of planning permission. The reptile translocation cannot commence until the reptile mitigation strategy has been approved. It must include the following information:

- Location of receptor site
- Survey of receptor site demonstrating that the reptile population can be maintained.
- Details of enhancements required to enhance the site
- Management plan for receptor site
- Confirmation that the receptor site will be actively managed
- Translocation methodology
- Time table of when all the above will be carried out.

Please note that the translocation cannot commence until 2017.

### Invertebrates

The site has been identified as Open Mosaic Habitat on Previously developed land and as such an invertebrate survey was carried out. It has detailed that there are a number of species of note present within the proposed development site and there is a requirement for ecological mitigation to be implemented. We are satisfied that if the proposed mitigation is implemented, retained and managed appropriately within the development the invertebrate interest of the proposed development site . The report has detailed that the following mitigation will be implemented:

- Extensive green/blue roof areas<sup>1</sup> totalling 0.25ha (0.18ha under Site A, and 0.07ha under Site B);

- Green wall/screen (at the eastern/southern boundary of Sites A and B);
- Wetland features including swales, rills and wetland depression areas (Site A);
- Areas of amenity and tree and shrub planting (all sites);
- Additional habitat features such as loggeries (sites A and C).

We would expect the green and blue roof areas to be included within the site plans to enable the applicant to demonstrate they will be implementing the mitigation if planning permission is granted.

#### Local Wildlife Site

The proposed developments are adjacent or near to the Great Stour, Ashford to Fordwich Local Wildlife Site. The creation of an 8-12 meter buffer is likely to protect/benefit the LWS but there is a need to ensure that it is designed and managed appropriately. If planning permission is granted details of the landscaping and management plan must be submitted as a condition of planning permission. The buffer area will be used for recreational as well as protection/enhancement for the LWS so the landscaping and management plan must demonstrate that both aims can be met.

#### Mitigation and Management Plan

Details of ecological mitigation has been included within the updated survey report and it has provided an outline of the mitigation which is required. However it does lack detail and if planning permission was granted there would be a need for a detailed mitigation strategy to be produced.

All three sites are ecologically connected and if planning permission is granted we would expect one detailed mitigation to be produced collectively for all three sites rather than the individually. There is a need to ensure that the implemented mitigation is managed appropriately for the lifetime of the development and we advise that if planning permission is granted a detailed management plan is produced.'

**Kent Highways** – No objection to the amended plans and make the following comments:-

'The latest information confirms that vehicular access to the undercroft parking spaces P1 to P9 will be taken solely from the main car park, rather than directly off Victoria Road, and bollards have now been indicated on the drawing to physically prevent vehicles passing all the way through to the public highway. This has confirmed that the existing vehicle crossover that is present along Victoria Road at this location will no longer be required, and I will expect the development to replace the redundant dropped kerbs with full height kerbing and the footway amended accordingly.

I also accept that at around 3.5m wide, this access from the main car park will be sufficient to accommodate the expected level of traffic movements likely to be generated by these 9 parking spaces and the shared pedestrian usage. Regarding visibility associated with these vehicles emerging back into the pedestrian route from their undercroft parking spaces, I consider that the 1m offset between the undercroft and the 3.5m access aisle is sufficient.

It has been acknowledged that there is insufficient space within the development for a coach to enter and exit the site, but it is anticipated that the arrival of coach parties will be an infrequent occurrence, as the hotel is expected to generally cater for the business traveller. Given this, it is accepted that on the rare occasion when a coach party does stay at the hotel, it will not be too much of an issue for a coach to drop-off and collect guests on Victoria Road, similar to how local public transport busses would operate. It is appreciated that coaches would have to park overnight elsewhere, but I note that official facilities are available for this at The Stour Centre.

The drawing has now been revised to separate the service vehicle turning head from the defined pedestrian area around the cycle racks, and I am satisfied that this is an acceptable arrangement to avoid conflict between the different users. Whilst the main vehicular accessible areas are still shared with pedestrians, it was not good practice to formally require large vehicles to also use areas of the footway to perform their turning movements, as pedestrians would not expect to encounter vehicles on them. The amendment has overcome this risk.

The developer has recognised that any works on the public highway will require separate approval from the Highway Authority through a Section 278 Agreement, and this will control what materials can and cannot be used. It is therefore accepted that Kent County Council are able to ensure that any works on the highway comply with the appropriate design standards.

Consequently, I would have no objections to the proposals in respect of highway matters subject to...conditions.'

**Network Rail (High Speed) Asset Protection** - No objection. Recommend a large number of conditions are attached to ensure that the proposals would have no adverse impact on Network Rail (High Speed) Assets.

(HDSS&D comment: As per the approach that I adopted with application 15/01195/AS for Elwick Place and applications 16/01157/AS and 16/01167/AS) I proposed that these conditions are combined into a single condition that ensures that the applicant reaches agreement with Network Rail on all matters to do with ensuring that the proposal has no adverse impact on the rail asset and its safe functioning.)

**KCC Archaeology**: No objection and state:-

'This proposed development is located close to the alignment of a Roman road which is known to head north from *Westhawk Farm* Roman small town, northwards towards Canterbury. This site may also contain River Terrace Gravels and these have potential for early prehistoric remains. In view of the potential for prehistoric and Roman archaeological remains, I recommend the following condition is placed on any forthcoming consent:

*Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:*

*i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and*

*ii further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority*

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

**Stagecoach:** No objection and welcome the applications 16/01157/AS, 16/01164/AS (hotel) and 16/01167/AS (superstore) to develop the entire Victoria Way East

Identify that the present pattern of bus stops is not ideally suited for serving the development due to various constraints which means that not all buses passing Beaver Road Bridge stops at certain times can actually stop in them due to the need to then change lanes in a very short distance before traffic signals. A contribution is requested for creation of a bus shelter on the outbound Beaver Road Bridge Stop G and a suggestion is made of a new bus layby with shelter (also to be funded through a contribution) at the entrance to Beaver Road.

**South Ashford Community Forum (SACF):** No objection and make the following comments;-

'Whilst we note that application complies with Kent County Council Supplementary Planning guidance that refers to maximum parking provision, and that as a town centre hotel, close to the station, the intention is to attract customers using public transport, residents are concerned that the low parking provision, of 0.5 spaces per room, could be inadequate, leading to overflow of parking to local streets.

This is of particular concern as the residential parking restrictions do not apply during late evening and night time. We are generally pleased with the finishes proposed but have concerns regarding the appearance of the render proposed for the ground floor exterior walls.'

**Southern Water** – No objection.

**KCC PROW:** No comments to make.

**Natural England:** No comments to make.

**Kent Police:** No objection. Make reference to the need to incorporate measures to minimise the risk of crime.

**UK Power Networks** – No objection.

**Southern Gas Networks:** Identify that records show that there are low/medium/intermediate pressure gas mains near the site and that the applicant should confirm the position using and dug trial holes and adopt safe digging practices in accordance with Health & Safety Executive guidance.

**Victoria Residents' Business and Recreation Action Group:** Object and state a number of objections, general comments and concerns as follows:-

1. It is accepted that parcels of waste land will be developed in the future and it would be nice to see them cleared, properly utilised and developed. However the local residents who will be directly affected by the current proposals have expressed serious concerns and worries and fears in respect of the applications 16/01157/AS, 16/01164/AS and 16/01167/AS.

2. Concerns relate to the height and scale of the buildings planned, particularly those for the site south of Victoria Road and the effect that that proposal would have on the lives of existing residents.

3. There are already many difficulties and pressures on the local road system with residents having to plan journeys leaving extra time in order to exit the immediate road system. Jams at the signalised crossroads are mentioned. With the development plans for 600 homes at the nearby Powergen site already passed, the proposals would only worsen the situation considerably. There are also live planning applications for 59 flats involving the former Travis Perkins site nearby. The road system would, as a consequence, be overloaded. Despite road surveys suggesting the effects would be 'modest' the impacts of so many proposals cannot be fully estimated and are considered to be highly significant. The planned superstore would add considerably to vehicular movements in the area alongside the hotel and commercial units.

4. There are concerns about parking which despite the permit system is likely to be affected since the on-site parking proposals for the scale of development are insufficient.

5. The proposed storey height would totally dominate the existing mainly two-storey buildings, dwarfing them and their existence. A scaling down of the proposed development in both height and size would improve this situation and would be favoured by local residents.

6. There are serious concerns regarding the construction phases and the effects of construction traffic, noise and dust and how this would be controlled during an expected lengthy construction period.

7. Concerns are expressed in relation to the lack of doctors' surgeries and dental practices in the area and the implications of a significant increase in the number of people living in this part of town on these everyday community services.



**KCC Flooding:** Following a request for further information (and its subsequent receipt) raise no objection subject to a planning condition requiring submission and approval of a SUDs scheme and state;-

'The application links with the proposals for 16/01157/AS and there is a shared drainage system for both proposals discharging to main river. We have no objection to the principles of the design, we would however note that some of the site characteristics contained within the greenfield calculations are not appropriate to the location. We are satisfied however that changes in outflow or storage capacity can be accommodated on site and that any revisions can be addressed within the detailed design phases. The final drainage design must meet the requirements of Ashford Borough Council's Sustainable Drainage SPD.'

**Project Delivery Engineer:** Following a request for further information (and its subsequent receipt) raise no objection and states;-

'The comments submitted by Kent County Council (KCC) as Lead Local Flood Authority on 31<sup>st</sup> October 2016 are supported.

Similarly to the comments made on the linked application 16/01157/AS further information should be provided at discharge of condition stage should this application be successful. Calculations should be reviewed so they are relevant for the site specific area; final site runoff rates and attenuation volumes should be confirmed in compliance with the Ashford Borough Council Sustainable Drainage SPD.

Access and maintenance of the proposed blue roof should also be given due consideration to ensure that this remains functional and accessible throughout the lifetime of the development. Given the proposed development type due consideration should be given to the use of blue roof in relation to any potential for grey water recycling systems where practicable, on the premise that an appropriate volume of attenuation can be maintained before any given storm event up to the design storm (1:100+20%/40% CC).

The addition of a surface water swale is welcomed from a water quality / treatment perspective, thus improving surface water quality before entering into the River Stour. It is recommended that when the development moves forward for development discussions are held with the Environment Agency in relation to obtaining the required permissions to undertake works within the main river corridor, these may be subject to an environmental permit (Flood Risk Activity Permit) as works are located within 8m of the main river.

Should permission be granted on this application then the condition proposed by KCC is deemed appropriate.'

**Environmental Health Officer (Environmental Protection):** Requests planning conditions are attached to any grant of permission to deal with any contamination issues.

**Residents:** 201 neighbours consulted 10 letters of objection and 2 letter of support and 2 general comments received. Comments are summarised below:

#### Objection comments

##### Built form

- The height of the proposed buildings would be out of keeping with the surrounding area and should be lowered.
- The development would result in urban cramming.
- Development on this site should be a maximum of 4 storeys.

##### Parking & road network

- There is a lack of parking proposed.
- The additional traffic arising from the development will likely result in impacting upon the existing residential parking in Victoria Crescent which is already oversubscribed.
- The amount of traffic using the Victoria Way junction will increase and cause problems during the rush hour and at weekends when it is already busy.
- Increased traffic will make it harder for residents to get in and out of Victoria Crescent.
- The development will impact upon the free movement of traffic.
- The development should include traffic calming measures on routes frequented by school children (Victoria Crescent and Gorge Street).
- There is no need for access to be from George Street. It could be from Beaver Road where it would not affect residents living on Victoria Crescent.
- Construction traffic should not be allowed to enter or exit Victoria Crescent from the school end during. It should enter and exit via Beaver Road or George Road.
- It is not clear how the existing 8 on street parking spaces (available to permit holders) on the adjacent street will be affected and if they would remain solely available to existing residents.

##### Environment

- There are protected reptiles on the site.
- The development would result in increased pollution.
- The construction phases of the planned developments are likely to be lengthy which will have a significant impact on locals in particular in terms of dust. Construction should be limited to Monday to Friday day times only.

[HDSS&D Manager Comment: Should Members resolve to grant planning permission a condition is proposed that would require details of a construction code of practice which would seek to militate against such issues occurring.]

Amenity implications

- The development would result in more traffic noise.
- It is felt that residents have little or no way forward in influencing changes to the plans as these large scale developments already appear to have the 'green light' from the Council.
- Concerns that all local residents (those living within Victoria Crescent and Victoria Road) were not specifically consulted.

[HDSS&D comment: I have raised the matters set out in the last two bullet points specifically with the applicant. The Statement of Community Involvement details the public exhibitions that were held enabling residents to view, ask questions and leave comments helping shape the proposals.

The applicant confirms that an invitation to these events went to over 300 households including all of those on Victoria Crescent in March 2016.

Additionally, a preview session prior to those public events was held and local residents' groups including Victoria Road Business and Residents' Action Group, were invited.]

Support comments:

- The developers provided a good public consultation and have shown a willingness to take on board comments of local residents.
- The development is well placed for access to local transport links.
- The development is well located in relation to the town centre.
- The site is a prime location that is long overdue for redevelopment.

## **Planning Policy**

47. 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 and has now closed. At present the policies in this emerging plan can be accorded little or no weight.

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

**Ashford Borough Local Plan 2000**

EN13 – Green Corridors

EN14 – Land adjoining the Green Corridors

EN31 – Important habitats

EN32 – Important trees and woodland

TP6 – Cycle parking

CF6 – Standard of construction of sewerage systems

CF8 – Renewable energy

**Local Development Framework Core Strategy 2008**

CS1 – Guiding Principles

CS2 – The Borough Wide Strategy

CS3 – Ashford Town Centre

CS7 – The Economy and Employment Development

CS8 – Infrastructure contributions

CS9 – Design Quality

CS10 – Sustainable Design & Construction

CS11 – Biodiversity and Geological Conservation

CS15 – Transport

CS17 - Tourism

CS18 – Meeting the Community's Needs

CS19 – Development and Flood Risk

CS20 – Sustainable Drainage

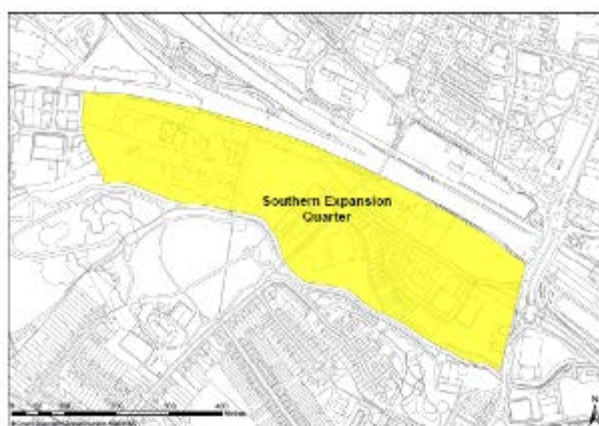
CS21 – Water Supply and Treatment

### **Ashford Town Centre Area Action Plan 2010**

TC1 – Guiding Principles

TC2 – The Town Centre Core

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

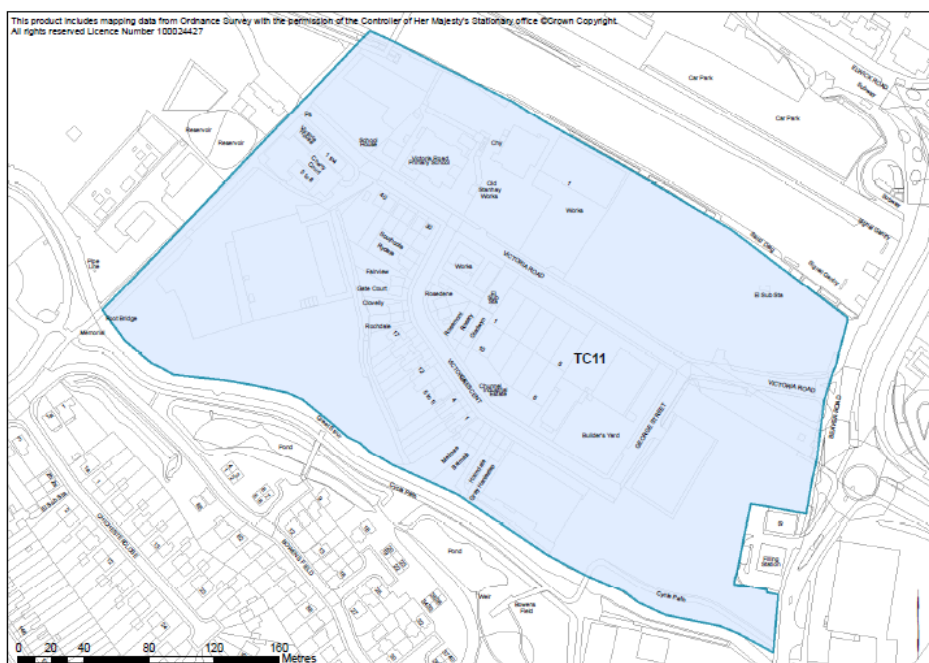
in terms of their use, scale and design. A design brief for this area would need to be agreed by the Council before detailed proposals are considered.

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.

All proposals in this Quarter will need to demonstrate that they will create an attractive urban neighbourhood set in high quality public realm, based around Victoria Way and pleasant and easy access to the town centre core and riverside spaces. In doing this, proposals will need to respect the relationship with existing residential properties in this Quarter, the riverside landscape and its ecology and the Victoria Road primary school.'

### TC11 – Victoria Way East



**Policy TC11 – Victoria Way East**

Redevelopment in the Victoria Way East area should deliver a mix of residential, office and education uses complemented by active street frontages at ground floor level fronting Victoria Way comprising small scale retail and other consumer services, eating and drinking places.

The part of this site where planning permission has been granted for the Learning Campus will be protected for that or similar education use unless other suitable alternative provision has been made.

The scale of development along this section of Victoria Way shall be between 4-6 storeys fronting the highway. Building scale should step down towards the riverside.

The built form and layout of development in this area should provide enclosure to the street-scene with occasional breaks in the building line to enable glimpsed views northwards to the town centre core and southwards towards the river corridor. Any new building adjacent to the railway line will need to present a positive frontage to the railway and views from the north.

Where new development is close to existing residential properties it must avoid creating an overbearing impact or adversely affecting residential amenities.

Proposed development adjacent to the river corridor shall provide a built frontage to the corridor whilst ensuring there is adequate space between the building line and the river bank to improve the riverside environment in terms of its appearance and biodiversity.

TC22 – Office, Retail and Leisure Parking Standards

TC24 – Town Centre Cycle Parking Standards

TC 25 – Commuted Parking

TC26 – Green Corridors in the Town Centre

**Local Plan to 2030**

SP1 – Strategic objectives

SP3 – Strategic approach to economic development

SP5 – Ashford Town Centre

SP6 – Promoting high quality design

EMP1 – New employment sites

EMP6 – Fibre to the Premises

EMP11 – Tourism

TRA3(b) – Parking standards for non-residential development

TRA4 – Promoting the local bus network

TRA5 – Planning for pedestrians

TRA6 – Provision for cycling

TRA7 – Road network and development

TRA8 – Travel plans, assessments and statements

ENV1 – Biodiversity

ENV2 – Ashford Green Corridor

ENV6 – Flood risk

ENV7 – Water efficiency

ENV8 – Water quality, supply and treatment

ENV9 – Sustainable drainage

ENV11 – Sustainable design and construction (non-residential)

ENV12 – Air quality

ENV15 – Archaeology

COM1 – Meeting the community's needs

IMP1 – Infrastructure provision

IMP2 – Deferred contributions

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

**Supplementary Planning Guidance/Documents**

Landscape Character Assessment SPD 2011

Sustainable Drainage SPD 2010

Dark Skies SPD 2014

**Government Advice**

National Planning Policy Framework 2012



50. 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 states that less weight should be given to the policies above if they are in conflict with the NPPF.
51. 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. It sets out a ‘pro-growth’ agenda. Paragraph 21 of the NPPF highlights some crucial points in this respect, including:
- (i) investment in business should not be over-burdened by the combined requirements of planning policy expectations,
  - (ii) policies should be flexible enough to accommodate needs not anticipated in the plan and allow a rapid response to changes in economic circumstances, and
  - (iii) local plans should identify priority areas for economic regeneration, infrastructure provision and environmental enhancement.
52. Paragraph 23 of the NPPF requires that planning policies should be positive and promotes competitive town centre environments. It identifies that town centres lie at the heart of their communities and that they should provide customer choice and a diverse retail offer and reflect the individuality of town centres.
53. Paragraph 24 of the NPPF sets out the ‘town centre first’ approach which is crucial in achieving these aspirations.
54. The key theme of Government policy is one of promoting sustainable development with the planning system defined as a key mechanism of achieving its delivery. There are three accepted dimensions to sustainable development:-
- (a) 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,
  - (b) 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
  - (c) an environmental role – contributing to protecting and enhancing the 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 towards a low carbon economy.

55. 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.
56. Paragraphs 173 to 177 deal with 'ensuring viability and deliverability' and are pivotal in seeking to ensure that the scale of obligations and policy burdens included in local plans does not threaten the viability of potential development sites that would contribute towards the planned housing delivery targets and thereby prevent sustainable development from being carried out.
57. Of note in regard to development viability is the second half of paragraph 173, that 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.'
58. Optimising overall, locally appropriate outcomes is a consistent theme throughout policy.
59. 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 to 'competitive returns to developers and landowners'.
60. Paragraph 24 of the NPPF 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.'
61. Paragraph 173 of the NPPF (and the NPPG thereafter) introduces financial viability into Government planning policy and guidance including the concept of a competitive return as a material consideration in the determination of planning applications.

62. Paragraph 173 of the NPPF 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 related obligations may need to be considered in the light of current market conditions.
63. In terms of design, Central Government advocates that local planning authorities 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 wherever possible.

National Planning Policy Guidance (NPPG)

64. 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
65. 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.
66. 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.

## Assessment

67. The main issues for consideration are as follows;-
- (a) The principle of the hotel proposal i.e. how the redevelopment of the corner site would fit with both existing local and national planning policies (and emerging local policy) in terms of the proposed use
  - (b) The design quality of the hotel proposal and its contribution to the character of (and entrance into) Victoria Road
  - (c) The importance of enhancement of the street corner highway land
  - (d) Sustainable design and construction
  - (e) Whether the proposals are acceptable in terms of contamination, flooding, approach to managing surface water drainage and ecology
  - (f) The impact of the hotel on the amenity of the area in terms of noise and pollution
  - (g) The acceptability of the car parking quantum serving the hotel and the assessment of any impacts on resident's only on-street parking in Victoria Crescent
  - (h) The acceptability of the traffic impacts arising from the hotel development on the local highway network (individually and cumulatively taking into account other approved developments)
  - (i) Mitigating the impacts of proposed development: matters to be secured by s.106 agreement
68. I deal with these in each of the sub-sections below.
- (a) The principle of the hotel proposal i.e. how the redevelopment of the corner site would fit with both existing local and national planning policies (and emerging local policy) in terms of the proposed use
69. The approaches in the NPPF in respect of the importance of sustainable development in urban areas, the need to support town centres, the need to facilitate growth and the need to help deliver vibrant communities with facilities supporting a variety of employment and leisure needs are all mirrored in the Council's planning policy documents dealing with the area in which the application falls.
70. The application site is located within the overarching Southern Expansion Quarter identified in Policy TC10 of the TCAAP 2010. The primary focus for

this Quarter is identified as being residential with limited non-residential uses (retail, leisure, commercial) also being identified as being acceptable in principle. The importance of all development proposals enabling the delivery of the vision for Victoria Road as an urban boulevard (termed 'Victoria Way') is stated. All proposals are required to demonstrate that they will produce a well-proportioned street relating to building heights and street width. East of Gasworks Lane, a street width of 24m is identified. Development fronting Victoria Way will be required to deliver a high quality finished public realm. All proposals in this Quarter are identified as needing to demonstrate that they will create an attractive urban neighbourhood set in high quality public realm based around Victoria Way and pleasant easy access to the town centre core and riverside open spaces, respecting relationships with existing residences and the riverside landscape.

71. I consider that the hotel proposal follows this overarching steer on an acceptable redevelopment in this Quarter. In my opinion the proposal;-
- would be an appropriate non-residential use close to the railway station
  - would enable user and staff access by a wide means of transport
  - would provide a commercial use complementing the proposed brewery
  - would deliver linear tree planting, a cycleway and quality public realm
  - would complete Victoria Way on its southern side in the manner envisaged
  - would provide easy access for hotel users to the town centre core
  - would help create a high quality and attractive urban neighbourhood
  - would not have an adverse impact on the amenities of existing residents
72. Where appropriate, I deal with aspects of the above in further detail in topic based sub-sections further below in this Assessment.
73. Policy TC11 of the TCAAP 2010 focuses on a specific element of the overall Quarter, termed 'Victoria Way East'. The application site falls directly within this part of the wider Quarter located closest to the railway station.
74. Policy TC11 identifies that redevelopment should deliver a mix of uses including residential and office uses complemented by active street frontages at ground floor level fronting Victoria Way comprising small scale retail and other consumer services, eating and drinking places. The scale of development along this section of Victoria Way is identified as being between 4-6 storeys fronting that street.
75. The Policy requires built form and layout to enclose the street scene with occasional breaks in the building line, especially those that help give a glimpse to the town centre core.
76. I consider that the proposal follows this more detailed steer on the eastern end of the Quarter as set out in this Policy. In my judgement the proposal;-
- would help deliver a mixture of uses appropriate to the envisaged Quarter
  - has the potential to strongly complement the proposed brewery offer

- has the potential to strongly complement the commercial quarter offer
  - has the potential to complement an expanded local retail offer
77. Additionally, I consider that the proposal;-
- would maximise potential for rail-borne custom
  - would include active frontage to the street and street corner
  - would not prejudice education provision (now being constructed elsewhere)
  - would deliver an appropriate 5-storey frontage to Victoria Way (south side)
  - would help create strong enclosure to Victoria Way on its southern side
  - would have an acceptable amenity relationship with nearby homes
  - would, through a green roof and other means, enhance biodiversity
78. Where appropriate, I deal with aspects of the above in further detail in topic based sub-sections further below in this Assessment.
79. Policies TC10 and TC11 seek to achieve attractive, well-designed and appropriate development helping support the town centre environment. These general planning objectives are also identified as 'guiding principles' in Policy TC1 of the TCAAP 2010. The approach in all three policies flows directly from the Borough-wide strategic 'umbrella' policies contained within the Core Strategy 2008 such as Policy CS1 (Guiding Principles), CS2 (Borough-wide Strategy), CS3 (Ashford Town Centre), CS7 (Economy and Employment development), CS9 (Design Quality) and CS17 (Tourism). It therefore follows that proposals that are in accordance with the provisions of the TCAAP policies are also proposals that are in accordance with the overarching general planning policy provisions of the Core Strategy.
80. I am mindful that whilst Policy TC 10 and TC11 do not make specific reference to hotel use and refer instead to retail, leisure and commercial, Policy CS17 directly makes reference to hotel development and states;-
- 'Proposals for new hotel development will be permitted in locations that are accessible by a choice of modes of transport and will be particularly encouraged in Ashford.'
81. Therefore, whilst the provision of a hotel at the site would, in strict terms constitute a departure from Policies TC10 and TC11 as worded, it would be a commercial use that would accord with parent Policy CS17 and therefore would not constitute a departure from the Development Plan read as a whole.
82. Turning to emerging local policy in respect of the principle of a hotel development, although this does not form part of the adopted development plan, and cannot be weighted as such, it is clearly still a material consideration.
83. Policies SP1, SP2, SP3, SP4, SP5 and SP6 of the June 2016 draft Ashford Local Plan are all relevant. They seek to;-

- promote high quality design (including use of review by a Design Panel)
- focus development in acceptable locations
- make best use of suitable brownfield opportunities
- create well designed attractive places
- promote access to a wide choice of sustainable transport modes
- provide a range of employment opportunities
- maximise town centre employment opportunities
- provide scope for range of retail, office, leisure, hotel and residential uses

84. I am mindful that the attractiveness of the eastern end of the Southern Expansion Quarter for development of a hotel has previously attracted interest due to the proximity with the railway station. Indeed, the outline planning permission applied for in 2004 and granted in 2008 provided for a 119 bed hotel. Since that time, the Council has:-

(i) adopted the TCAAP,

(ii) granted outline planning permission for the development of the Commercial Quarter (including details of the first new office building),

(iii) granted planning permission for the Elwick Place leisure-based scheme, granted planning permission for the creation of a new town centre college (with construction implemented)

(iv) granted planning permission for an extension of the popular nearby Designer Outlet Centre, and

(v) resolved to grant permission for a town centre brewery immediately opposite the site with a strong visitor offer that would help the day and night time economy of the town centre.

85. All of the above have individual and cumulative potential to generate an unmet demand for town centre hotel bed space whether as part of leisure /shopping 'short-stay' or meeting the needs of the growing local business community requiring quality overnight facilities very close to the railway station and Commercial Quarter. Along with the hotel proposed as part of the Elwick Road leisure based scheme, the proposal has the capacity to provide increased consumer choice and a different market offer from the town's existing out of centre hotels that are located close to Junctions 9 and 10 of the M20 motorway.

86. In conclusion, I consider that the use that is proposed would be in accordance with Policies CS1, CS2, CS3, CS7, CS9 and CS17 of the Core Strategy 2008 and Policies TC1, TC10 and TC11 of the TCAAP 2010 (on treating the hotel as a commercial use and taking into account Policy CS17 of the Core Strategy in terms of encouragement of hotel development to highly accessible locations in Ashford). In addition, the proposal would accord with emerging planning policies SP1, SP3, SP5, SP6, EMP11 of the June 2016 draft Ashford Local Plan.

(b) The design quality of the hotel proposal and its contribution to the character of (and entrance into) Victoria Road

87. I consider that the design quality of the hotel is acceptable. The position of the site and the scale and massing would strongly enclose Victoria Road as is required under TCAAP policies, helping create a high quality street with an urban tree-lined boulevard character. The scale of the building would sit comfortably with the adjacent apartments over small commercial units subject of application 16/01157/AS. The proposed materials are acceptable with colours that are complementary to adjacent proposed buildings but with sufficient visual difference to make the hotel stand out on an important corner to the street junction.
88. The strongly glazed ground floor to Victoria Road comprising the restaurant and lobby entrance would create strong ground floor active frontage that would provide both beneficial overlooking /surveillance of the street as well as a visually lively building edge. The 'bands' between the floors on the building wings would create a strong decorative motif that could be further enhanced through more fluid irregular bands, particularly on the elevations fronting Victoria Road and Beaver Road. The continuation of the bands around the corner in the architect's design helps create a visually dramatic building with landmark qualities: the approach visually counteracts the absence of a floorspace above the ground floor lobby.
89. I note the SACF's comment about the potential for render to discolour over time. The applicant would need to address this in terms of the specification of the render and periodic maintenance thereof. The use of a dark coloured material is supported in helping provide the building with a visually strong base. Alternative dark materials may be acceptable substitutes for the ground floor if the applicant reconsiders the acceptability of render. In such a scenario the fluid sculptural rendered band at ground floor ceiling height would need to be rethought in terms of material but as I have identified above, the bands around the corner would create a dramatic corner with landmark qualities which I would not wish to lose. Furthermore, there is scope for the bands at all levels to have more fluid shapes to add further visual interest, particularly with subtle mood lighting.
90. I support the proposed creation of a green wall to the boundary with the petrol filling station. This would be an appropriate visual improvement and be appropriate to a high quality street corner building. The applicant has requested that the fine detail and the timetable for its implementation be the subject of a planning condition. I would be happy with this approach: this section of the green wall would be best left until construction of the hotel has been completed.
91. As per application 16/01157/AS, I note the applicant's intention in respect of public art in the gap between new buildings fronting Victoria Road. I would welcome this and details can be secured by planning condition with delivery either through implementation of a permission relating to either the hotel



proposal or the residential element of the proposals subject of application 16/01157/AS.

92. I am mindful that the applicant's Ventilation and Air Exhaust Discharge Strategy identifies individual and centralised options in order to create a comfortable internal environment for occupants. However, the fine detail of the building is not available in order to assess any external implications impacting on design quality. The building would occupy an important site and has been designed to have landmark qualities. I would not wish that approach to be spoiled in any way by external ducts and grilles per room impacting individually and cumulatively on the elevations. My strong preference would therefore be for a centralised ducted system with any Air Handling Units in an appropriate location (most probably suitably screened at roof level). The applicant has submitted amended plans showing inset screen walling at roof level and the fine detail of this can be covered by a planning condition with the reason for the approach set out in an Informative/Note.
93. An important final issue to note is that in the hotel market, some operators will only consider locations once either an outline or full planning permission is in place: the importance of the application site has dictated the latter scenario with an informed design approach being taken by the applicant taken cognisant of typical operator requirements.
94. Clearly, any operator wishing to deliver a hotel with planning permission would have to implement the scheme as approved or have alternatives similarly approved. In this respect, should planning permission be granted then Members should be aware that there is no guarantee that the scheme would be exactly as approved. However, there are a series of 'design givens' appropriate to this site;-
- (i) a layout and scale that strongly encloses and is appropriate to an important urban boulevard,
  - (ii) a layout that shields car parking located to the rear of the building from view,
  - (iii) a corner with scale, massing appearance and visual drama that helps create a building with landmark qualities appropriate to an important junction, and
  - (iv) an approach that with a new building on the opposite side of the street will help create a sense of gateway to an exciting area of regeneration
- that can guide any required reworking of the applicant's proposal once any permission has been put to the market and garnered interest. I propose that these issues are clearly stated in an Informative / Note attached to the decision notice.

(c) The importance of enhancement of the street corner highway land

95. The street corner is currently a visually low quality part of the public highway. Aside from the newly paved footway around its periphery no further works were carried out at the time Victoria Road was enhanced due to uncertainties as to when the application site would come forward for development.
96. The applicant's proposition is for the area to be upgraded. I fully support this, especially as an informal pedestrian track has been created over the grass 'cutting the corner' and the state of the land is visually poor at an important street junction: visually upgrading the corner would be likely to be a requirement of any hotel operator.
97. The applicant's illustrative proposals in the Design and Access Statement represent initial thoughts. I would support new paving to match that in Victoria Road fitting in seamlessly with the entrance to the hotel lobby. The presence of underground services is likely to dictate against a fully hard landscaped scheme but there is clear potential for upgrading and provision of quality parking that would be appropriate to a hotel entrance.
98. Kent Highways and Transportation confirm that proposals would need to be considered in further detail, the lighting suggested in the indicative proposals would not be acceptable and that an acceptable scheme could be taken forward by the applicant pursuant to a Cultivation Licence which would also establish long term maintenance (with private maintenance of the improved highway land being likely to be required).
99. I propose that prior to commencement of development a landscaping scheme for upgrading the space is submitted to the Council for approval with the scheme to be accompanied by documentation to identify how the scheme will be implemented and subsequently maintained.

(d) Sustainable design and construction

100. In respect of applications for all major non-residential development, the approach set out in Policy CS10 and the associated SPD continues to apply. The hotel will be required to achieve a minimum 'very good' BREEAM (or equivalent quality assured scheme) standard. This can form a planning condition with the requirement that any remaining carbon emissions be captured through a carbon off-setting payment as per part (C) of Policy CS10 secured through an obligation in a s.106 agreement.
101. The applicant intends to meet CS10 through a combination of measures including air source heat pumps and Combined Heat and Power (CHP) plant. The latter would be located in a small basement below the Beaver Road wing and would not have an adverse visual impact on the quality of the building.

The proposed location of air source heat pumps is unclear but as I have identified above, external locations with an adverse visual impact would not be acceptable. I therefore strongly favour roof mounted, inset from the parapet walls so as to minimise short range views and use of screening to present a neat and tidy roof scape viewed from a longer distance. The applicant has submitted amended plans showing inset screen walling at roof level and the fine detail of this can be covered by a planning condition with the reason for the approach set out in an Informative/Note.

(e) Whether the proposals are acceptable in terms of contamination, flooding, approach to managing surface water drainage and ecology

102. In respect of any necessary site remediation through historic pollution, the applicant's proposals are acceptable. The matter can be controlled by planning conditions.
103. The proposal is located outside of the areas at high/medium risk from flooding.
104. In respect of ecology, KCC Ecology initially requested that further survey work be carried out to inform an assessment of the applicant's proposed mitigation. Phase II survey work has subsequently been submitted by the applicant together with an Addendum Report to the Ecological Appraisal deposited with the application. KCC Ecology advise that subject to planning conditions requiring further details in respect of an ecological strategy and ecological monitoring, the development is acceptable from an ecological perspective. I agree with this assessment: it is clearly important for all three of the applicant's development proposals to be viewed as interlinked in taking forward these matters.

In terms of managing surface water, the application includes a green roof as part of a sustainable urban drainage strategy that encompasses the applicant's proposed development further to the south (application 16/01157/AS) which includes a swale between new apartments and the riverside. Following the receipt of further information from the applicant, both the Council's Project Office Delivery Engineer and KCC consider the proposals are acceptable subject to attachment of a condition requiring submission and approval of further detail. I agree with the Project Office Delivery Engineer that early discussions will be needed with the applicant and colleagues at KCC Flooding and the Environment Agency (EA) to ensure that all parties are comfortable with the detail of a scheme and the need for any permits from the EA is clarified.

(f) The impact of the hotel on the amenity of the area in terms of noise and pollution

105. There are no existing homes adjacent to the site. The residents of the proposed apartments forming application 16/01157/AS would be the nearest residents to the hotel and the living conditions of occupants would need to

take into account appropriate acoustic measures to deal with the urban location and the development of non-residential uses such as the hotel, the superstore and the brewery.

106. In any event, the nature of the use is one unlikely to require servicing throughout the night and agreement to any servicing can form the basis of a planning condition to ensure that it is appropriate to the locality. I do not consider that the operation of the car park would give rise to unreasonable noise to residents.
107. The proposal involves the use of CHP plant in the basement. Planning conditions can be used to agree the specification of CHP plant in order to prevent pollution and ensure acceptable noise levels in operation.

(g) The acceptability of the car parking quantum serving the hotel and the assessment of any impacts on resident's only on-street parking in Victoria Crescent

108. The amended proposal provides for 49 identified on-site parking spaces. I agree with the applicant's suggestion that a barrier or similar system to make sure that the car parking solely serves the hotel can form the basis of a planning condition.
109. The starting point is the standards as set out in Supplementary Planning Guidance Note 4 (SPG4) to the Kent and Medway Structure Plan 2006. The standards are maximum based and have been adopted by KCC and used by KH&T for many years.
110. Using Supplementary Planning Guidance Note 4 (SPG4) maximum based Parking Standards of 1 parking space per bedroom for guests, the maximum that could be sought for guests would be 120 spaces. SPG4 also identifies 1 space per 2 staff for employee parking too. Paragraph 3.16 of the Economic Benefits Assessment accompanying the application suggests 60 jobs for the hotel. Taking this as being synonymous with employees, it would mean a maximum 30 additional spaces for staff bringing the theoretical maximum parking to serve a 120 bed hotel to a total of 150 spaces. SPG4 does not currently form part of this Council's adopted policy framework (but see below).
111. Adopted Policy TC22 of the TCAAP identifies that maximum standards will apply to leisure developments in the town centre. The applicant's Transport Assessment specifically cites the proximity of the hotel to bus and rail facilities as helping reduce reliance on the private car.
112. In my opinion, 49 space would be a good balance between 'zero' and 'maximum' on-site provision with a contribution then being made towards off-site provision in accordance with Policy TC25 of the TCAAP. On-site provision would cater for some car borne guests choosing to stay in the town centre rather than one of the town's existing out of centre hotels but acknowledging that the proximity to the railway is likely to prove attractive to those travelling

to Ashford by these means thus meaning the hotel could operate successfully and generate repeat custom as a commercial enterprise with less than maximum parking. In reaching this conclusion, I have taken into account a number of issues.

113. First, Policy CS17 of the Core Strategy encourages hotel developments in locations that are accessible by a choice of modes of transport, particularly in Ashford. In this instance, the proposed hotel is very close to bus and rail transport. Requiring on-site maximum car parking provision at a town centre site would conflict with the approach of this adopted Policy.
114. Second, the provision of 49 spaces exceeds zero provision by a considerable margin with the layout of the site following that which is envisaged in the TCAAP Policies for the Victoria Way East part of the Southern Expansion Quarter i.e. strong urban frontage and street enclosure as the place-making priority. The hotel application site is spatially finite and additional spaces could not be provided on-site in a realistic and viable manner.
115. Third, it should be noted that whilst Policy TRA3(b) of the Ashford Local Plan 2030 Consultation Draft 2016 specifically proposes 1 parking space per bedroom as *'the standard'* for hotels (i.e. a minimum standard approach), limited weight can be applied to this Policy alongside the provisions of the adopted development plan. This is because the Plan is emerging planning policy yet to be scrutinised through 'Examination in Public'. Furthermore, Policy TRA3(b) actually makes no reference to additional spaces per staff numbers (which are dealt with by an asterisk in relation to certain other Use Classes mentioned in the draft Policy. Therefore, as drafted TRA3(b) would require a maximum 120 spaces as a starting point.
116. Fourth, TRA3(b) identifies that exceptions from the standard may be applicable including;-
- 'b. In order to take account of specific local circumstances that may require a higher or lower level of parking provision, including as a result of the development site's accessibility to public transport, shops and services, highway safety concerns and local on-street parking problems;
  - c. Where an operator or potential occupier requires either more or less (my emphasis) parking spaces to cater for their specific operational needs, such requirements can be clearly evidenced and where their presence has wider planning benefits,
  - d. Where the proposed use can reasonably rely on the availability of public off-street car parking spaces that are nearby;'
117. As I have identified;-
- the town centre location is a highly accessible site (exception part b),

- the applicant considers that a hotel operator of a site in proximity to the availability of rail and bus services would find 49 on-site parking spaces as meeting operational needs (exception part c), and
  - and an public off-street car parking is available a short walk from the site (exception part c).
118. Fifth, the Council's town centre car parks are located a short distance away as is the private NCP Ashford International Terminal multi-storey car park which is available throughout the year on a 24 hour basis. Together they would constitute an easily accessible off-site resource should guests using the hotel with a car be unable to find an on-site space.
119. Sixth, the location of the hotel in the town centre close to bus stops, the railway station and cycleway network would mean that it is reasonable to assume that some employees would utilise means other than the private car to travel to work. A Travel Plan can be the subject of a planning condition and clearly, it would be in the interests of a hotel operator to monitor parking and ensure that provision for guests is the priority. Again, town centre car parking is accessible a short distance away for any employees choosing this method of travelling to work.
120. The accessibility of public car parks needs to be considered alongside available quantum of parking spaces in those car parks. I am mindful that with the regeneration of the town centre – for example, the construction of the Commercial Quarter at Dover Place a short distance from the application site – town centre car parks will generally be put under greater pressure and that there can be no certainty that demand by guests for car parking might outstrip on-site supply.
121. Therefore, alongside town centre regeneration investment in additional public car parking is necessary. The approach highlighted in the TCAAP at paragraph 3.49 is for 50% overall parking to be commuted off-site.
122. For the purposes of calculating off-site commuted parking payments, Policy TC22 of the TCAAP identifies the quantum and Policy TC25 identifies the cost at 2006 prices. Similar to my assessment of the Victoria Road superstore in application 16/01167/AS reported to the Planning Committee October 2016, I consider that it is reasonable to take into account the applicant's proposed on-site provision in calculating the number of spaces for payment of any commuted sum pursuant to related Policy TC25 towards development of off-site parking. The required approach should therefore be 50% of 150 for the purposes of commuted sum calculation i.e. 75 spaces.
123. Policy TC25 of the Town Centre Area Action Plan sets out the approach for via commuted payments. Park and Ride (mentioned in the Policy at £5,000 per space at 2006 prices) is not proceeding in Ashford for the foreseeable future but multi-storey car parking is mentioned at £10,000 per space at 2006 prices.

124. Policy TC25 takes the following 70/30 split in relation to the required 75 spaces;-

Multi-storey commuted	= 70% x 75 = 53 x £10,000 = £530,000
Park and ride commuted	= 30% x 75 = 22 x £5,000 = <u>£110,000</u>
Total	£ 640,000

125. The existing Residents' Parking scheme for Victoria Crescent operates between 08:00-22:00 Monday to Saturday with parking spaces available for use at any time by permit holders but all other users limited to 2 hours with no return in 4 hours. Having discussed this with the Council's Parking, Highways and Transportation Manager, it is considered that whilst hotel users could theoretically use available on-street spaces for overnight parking with an early departure the following morning, the spaces are likely to have already been occupied for overnight parking by scheme residents by 20:00 hours. Should a problem manifest itself arising from the hotel then the scheme can be adjusted appropriately.

(h) The acceptability of the traffic impacts arising from the hotel development on the local highway network (individually and cumulatively taking into account other approved developments)

126. The application includes a Transport Assessment and has been considered by Kent Highways & Transportation. The conclusion reached is that the findings of the Assessment are accepted and that the local highway network would experience a modest increase in traffic volume with minimal impact on the nearby junctions likely to be affected by that volume.
127. Furthermore, the impact has been assessed on the basis of the combined traffic expected to be generated from all 3 separate planning applications made by the same applicant covering the redevelopment of part of Victoria Way East (superstore, residential & brewery and hotel)
128. The application in respect of the former Powergen site (15/01671/AS) also considered these 3 development proposals as a sensitivity test within its assessment of the impacts on the local highway network and it concluded that with the planned highway improvements to the junctions of Beaver Road/Victoria Road, and Beaver Road/Elwick Road, the local highway network would have capacity to accommodate all of the proposed developments.
129. As I reported to the October 2016 Planning Committee, funding for these planned highway improvements – and restrictions on the quantum of development that can be delivered prior to their completion available for use - will be secured in full by a combination of s.106 agreement and a planning condition attached to the permission for the redevelopment of the former Powergen site.

130. Subject to the local highway improvements being carried out, my conclusion is that the proposal is acceptable in traffic impact terms and therefore would be in accordance with Policies CS1, CS2, CS8 and CS15 of the Core Strategy 2008 as well as Policy TRA7 of the draft Ashford Local Plan.

(i) Mitigating the impacts of proposed development: matters to be secured by s.106 agreement

131. Policy CS18 of the Core Strategy requires that infrastructure and facilities to meet the needs generated by the development should be provided. The same approach is taken in proposed policies IMP1, IMP2 and COM1 of the draft Ashford Borough Local Plan.

132. As I identified in my report on application 16/01157/AS to the October 2016 Planning Committee, public realm enhancements are required around the proposed local highway changes. Those changes would deal solely with the capacity of the carriageway rather than the quality of the public realm hinterland around those junctions. I propose that the applicant makes an appropriate contribution towards the enhancements. The applicant's proposal would result in a greater number of people passing through this area to access the hotel (from off-site car parks, bus and rail services) and then, during a stay, passing through this area to access other facilities in the town centre. The quality of the public realm in this part of the town centre is therefore an important component of regeneration that would be directly related to, and directly benefit, a hotel use bringing more people to stay in Ashford Town Centre.

133. It was accepted at the October 2016 Planning Committee that:-

(i) in the light of the viability case submitted with application 16/01157/AS the brewery, small retail units and residential scheme proposed by the applicant should not make the contribution towards the outbound bus shelter improvements requested by Stagecoach, but,

(ii) these facilities – providing shelter from inclement weather - would help superstore customers and employees consider bus use as a viable transport choice.

134. I consider the same holds true for employees of the proposed hotel subject of application 16/01164/AS and I therefore propose to apportion the £25,000 sought between the applicant's superstore and the hotel proposal.

135. As I have identified further above, the proposal requires the payment of commuted parking sums for improvement of the quantum of off-site public car parking.

136. Although the applicant is proposing the use of CHP, carbon-off setting may be still ultimately be necessary. In accordance with the provisions of Policy CS10



of the Core Strategy 2008 and the associated SPD, it therefore needs to be captured through an obligation in a s.106 agreement.

137. Given the relatively low number of contributions, I propose a one-off low monitoring fee to enable monitoring for compliance with the terms of the agreement.

## **Human Rights Issues**

138. 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**

139. 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**

1. The proposal involves the redevelopment of a key brownfield site at the eastern entrance to Victoria Road known as Victoria Way East, forming part of the Southern Expansion Quarter. The redevelopment of this area for a mixture of uses, including non-residential and commercial, forms an important part of the Council's TCAAP 2010. Policies TC10 and TC11 of the TCAAP indicate that an urban development appropriate to the upgraded and enhanced Victoria Road is appropriate with an emphasis on strong urban enclosure to the street.
2. I consider that the vertical scale of the proposed hotel and its design quality are acceptable and would accord with development plan policies identifying the importance of high quality design and place making and, in particular Policies CS1 and CS9 of the Core Strategy 2008, Policies TC1, TC10, TC11 and TC 26 of the TCAAP 2010.
3. The scale, massing and appearance of the proposed hotel are acceptable in my opinion. The approach would sit comfortably with the scale, massing and appearance of the residential over commercial floorspace block proposed in

application 16/01157/AS and approved by the Council in October 2016 as being appropriate to front Victoria Road on its southern side. The proposal would help create a strong urban frontage to Victoria Road. The approach to the street corner - with an atrium to the ground floor entrance lobby and continued external expression of the associated plan form of that space vertically on upper floors by a series of expressed bands – would work well in maximising the opportunities presented by the street corner and would create a building with landmark qualities. Together with the striking architecture approved for the Beaver Road Bridge corner to the brewery on the opposite side of the street, the pair of building has the potential to create a strong sense of visual gateway into Victoria Road appropriate to the range of development opportunities in the Southern Expansion Quarter.

4. The Victoria Road/Beaver Road street corner junction would need improving to create a hinterland to the hotel entrance that is visually appropriate and supports investment in a high quality building. An improvement scheme can be the subject of a planning condition requiring approval prior to commencement of development.
5. The proposal is acceptable in relation to ecology, contamination, sustainable urban drainage and flooding.
6. The proposals perform acceptably in relation to the Council's Sustainable Design and Construction requirements for non-residential uses.
7. The proposals provide for on-site parking which I consider is acceptable in quantum. The on-site location is acceptable as it would ensure that the visual impact of parking would be minimised as far as possible from the adjacent street system and at the same time would enable the hotel building to strongly enclose the public realm in the manner envisaged in the TCAAP. Along with on-site provision commuted parking payments will be necessary to increase the quantum of public car parks within easy walking distance.
8. The proposals would not have any adverse impacts on the amenities enjoyed by residents of Victoria Crescent. Planning conditions can be used to agree any night-time servicing and the detail of CHP plant.
9. The traffic impacts of the proposal have been considered by the local highway authority and have been found to be acceptable. Improvements to the local highway network in terms of capacity are proposed by others. Associated improvements to the public realm are, however, required. The hotel would result in many of its users travelling through the public realm (access to the hotel from off-site car parks and bus and rail services and access to other facilities in the town centre during a stay) and so a contribution to the cost of carrying out these enhancement works is appropriate (taking into account any direct provision of enhancements).

## Recommendation

- (a) **Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations related to**
- a. carbon off-setting**
  - b. contribution towards nearby outbound bus shelters**
  - c. commuted car parking**
  - d. contribution towards public realm enhancements**
  - e. notice of commencement of development being served on the Council**
  - f. monitoring fee of £500**

**as detailed in the Table forming annex 3 to this report, in terms agreeable to the Head of Development Strategic Sites and Design in consultation with the Corporate Director (Law & Governance), with delegated authority to the Head of Development Strategic Sites and Design to make or approve changes to the planning obligations and planning conditions (including adding additional planning conditions/obligations or deleting planning conditions/obligations as necessary), as she sees 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.

### Materials

2. 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.

Compliance with approved plans

3. 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.

4. 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.

5. Prior to any above ground construction commencing a programme for community consultation/communication setting out how the developers intend to liaise with and keep members of the public informed about the development for the duration of the construction period shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented and maintained for the duration of the construction otherwise agreed in writing by the Local Planning Authority.

**Reason:** To secure a coordinated, comprehensive form of development that delivers the envisaged form of place making and in the interest of public engagement.

Contamination

6. Prior to the commencement of development, a detailed remediation scheme 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 plot 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 and prior to occupation of any building, 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.

7. If, during development, contamination not previously identified is found to be present at the site then no further development within the affected plot (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 plot 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.

#### Other

8. Prior to commencement of development the applicant shall provide written evidence to the Local Planning Authority that a formal process of approvals between the applicant and Network Rail/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.

### SUDs

9. (A) 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 the development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of without increase to flood risk on or off-site and in accordance with the requirements of Ashford Borough Council's Sustainable Drainage SPD 2010. The drainage scheme shall also demonstrate that silt and pollutants resulting from the use of the site can be adequately managed to ensure there is no pollution risk to receiving waters and identify all the constituent components and their location whether within the application site or linked thereto.

(B) The hotel shall not be opened for use 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 thereafter 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 of the scheme 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 ongoing efficacy of the drainage provisions.

### Fine detail

10. Prior to any construction above ground level, unless specified to the contrary, the details set out below shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, 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, louvres and external doors, including all external joinery and framing methods and external colour (1:20),

- (b) rainwater goods
- (c) Horizontal feature channels (1:20)
- (d) Jointing of cladding panels (1:20)

**Reason:** Further details are required to ensure that the external appearance and fine detailing are of an appropriately high quality given the locational importance of the site.

#### Parking/Highways

11. During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operatives' and construction vehicles loading, off-loading or turning on the site.

**Reason:** To ensure that vehicles can be parked or manoeuvred off the highway in the interests of highway safety.

12. Prior to the works commencing on site details of parking for site personnel / operatives /visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development.

**Reason:** To ensure provision of adequate off-street parking for vehicles in the interests of highway safety and to protect the amenities of local residents.

13. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

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

14. The access details shown on the approved plans shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any building hereby approved, the use of the site being commenced, and the access shall thereafter be maintained.

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

15. The area shown on the submitted layout as vehicle parking or turning space shall be provided, surfaced and drained to the satisfaction of 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 premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (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 and be detrimental to highway safety and amenity.

16. The hotel use shall not be commenced until space has been laid out within the site in accordance with the details shown on the application plans for cycles to be parked.

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

#### Use

17. The premises/site shall be used for the purposes specifically applied for and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 2005 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

**Reason:** In order to preserve the amenity of the locality.

18. Servicing hours to be agreed

#### Landscaping & upgrading scheme for the highway corner

19. The development shall not be first occupied until full details of the soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

- a) The full details of the soft landscape works 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 within 6 months of the completion of the development.
- b) The soft landscaping works shall be implemented in full in accordance with the details and timetable approved by the Local Planning Authority.



**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.

20. If any trees and/or plants whether new or retained which form part of the soft landscape works approved by the Local Planning Authority 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 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

21. Prior to the commencement of the development, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for the landscape areas and the timing of provision of management and maintenance of such areas shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the landscape management plan 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.

22. Prior to the commencement of development, a landscaping scheme for the upgrading of the Beaver Road/Victoria Road corner highways land (including specification and plans and cross sections of proposed upgrades together with documentation identifying how and when the scheme will be implemented and subsequently maintained) shall be submitted to and, following prior consultation with the local highways authority, be approved by the Local Planning Authority in writing. Thereafter, the scheme shall be implemented in accordance with the approved details unless any variation has been agreed in writing.

**Reason:** In order to improve the visual quality of the public realm at an important entrance to the town centre and Victoria Road and provide an appropriate hinterland to the hotel lobby entrance.

#### Sustainable construction

23. The development hereby approved shall be constructed to achieve a target Building Research Establishment BREEAM (or subsequent equivalent quality

assured scheme) overall 'Very Good' standard comprising the following minimum credit requirements:-

'Excellent' standard in respect of energy credits,

'Maximum standard in respect of water credits,

'Excellent standard in respect of materials credits, and

under criterion Ene4 (Low and Zero Carbon Technologies) (or subsequent equivalent criterion) 1 credit for a feasibility study and 2 credits for a 20% reduction in carbon emissions.

Unless otherwise agreed in writing by the Local Planning Authority, the following shall be submitted to and approved in writing by the Local Planning Authority within 3 months of work commencing on a given phase:-

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

Simplified Building Energy Model ("SBEM") calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed,

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

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

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

Unless otherwise agreed in writing by the Local Planning Authority, within three months of occupation of the new buildings hereby approved the applicant shall have submitted to and approved in writing, parts 0 and 0 below by the Local Planning Authority for that building:

SBEM calculations from a competent person stating (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them and (ii) the actual amount of residual carbon emissions, and a BREEAM 'Post Construction Stage' report and related certification produced by a registered assessor confirming the BREEAM standard that has been achieved and the credits awarded under Ene4.

**Reason:** In order to (a) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of

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

Code of construction practice

24. Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approval in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice 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 shall include,

- An indicative programme for carrying out the works
- Measures to minimise the production of dust on the site(s)
- 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)
- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)
- Design and provision of site hoardings
- Management of traffic visiting the site(s) including temporary parking or holding areas
- Provision of off road parking for all site operatives
- Measures to prevent the transfer of mud and extraneous material onto the public highway
- Measures to manage the production of waste and to maximise the re-use of materials
- Measures to minimise the potential for pollution of groundwater and surface water
- The location and design of site office(s) and storage compounds
- The location of temporary vehicle access points to the site(s) during the construction works
- The arrangements for public consultation and liaison during the construction works

**Reason:** To protect the amenity of local residents in accordance with Policy EN1 of the Local Plan.

25. 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.

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

### Archaeology

26. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

- i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

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

## **Notes to Applicant**

### 1. 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 with the opportunity to submit amendments to the scheme in order to address issues that I and others raised
  - the applicant/ agent responded to issues and feedback through clarification, further survey work and the submission of amended plans
  - 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.
2. The applicant should note that as of 19 February 2016, the Environment Agency published new guidance on how to use climate change allowances in flood risk assessments. As Lead Local Flood Authority, KCC will require that the design of the sustainable surface water drainage scheme accommodates the 1 in 100 year storm with a 20% allowance for climate change together with an additional analysis being undertaken to understand the flooding implication for a greater climate change allowance of 40%. This analysis will be required to determine if the impacts of the greater allowance would be significant and exacerbate any flood risk. The detailed design of the scheme may need to be minimally modified but may also need additional mitigation allowances, for example attenuation features or provision of exceedance routes. This would tie into existing 'designing for exceedance' principles.
3. The scale, massing, appearance and architectural style of the hotel have been specifically designed to be appropriate to an important entrance into the Council's Southern Expansion Quarter wherein high quality design and place-making is required as part of town centre regeneration. A hotel operator will be required to implement the scheme as approved or have an acceptable alternative approved. In respect of the latter, the design 'givens' that are relevant to the site are as follows:-
- (i) a layout and scale that strongly encloses and is appropriate to an important urban boulevard,
  - (ii) a layout that shields car parking located to the rear of the building from view,
  - (iii) a corner with scale, massing appearance and visual drama that helps create a building with landmark qualities appropriate to an important junction, and
  - (iv) an approach that, together with a new building on the opposite side of the street, will help create a sense of gateway to an exciting area of town centre regeneration.

## **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 16/01164AS.

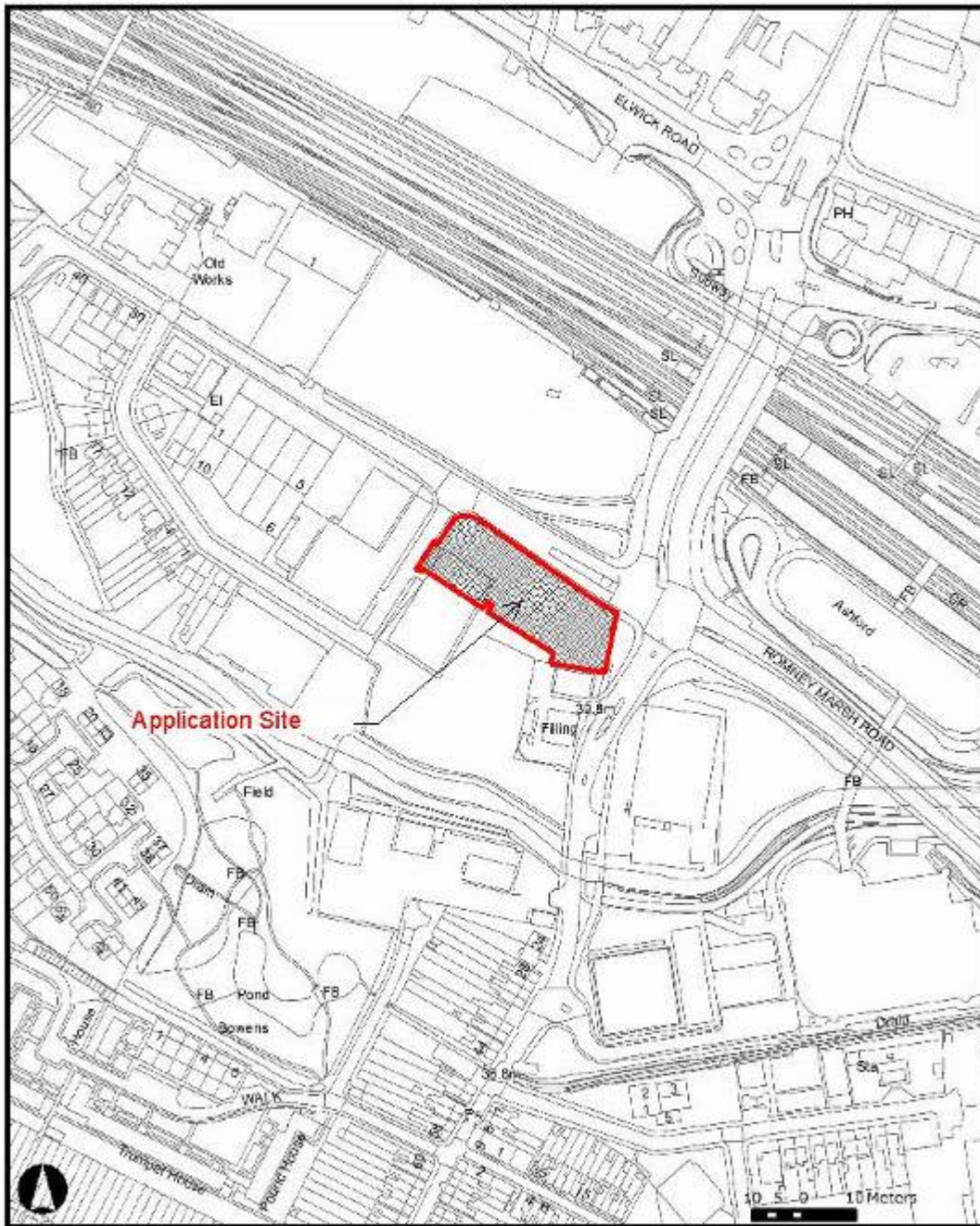
**Contact Officer:** Roland Mills    **Telephone:** (01233) 330334

**Email:** [roland.mills@ashford.gov.uk](mailto:roland.mills@ashford.gov.uk)

Annex 1



# 16/01164/AS - Planning Committee Site Plan



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Annex 2

**d:se**

*Design Review*

**North & South  
Sites  
Victoria Way  
Ashford**

29 January 2016





**North & South Sites, Victoria Way, Ashford**  
Reference: 533-844

Report of Design Review Meeting  
Date: 15 January 2016  
Location: Ashford Borough Council, Civic Centre

**Panel**

Liz Gibney (Chair), Urban Designer  
Don Gray, Architect  
Luke Engleback, Landscape Architect  
Robert Huxford, Public Realm/Urban Designer  
Richard Portchmouth, Architect  
Robert Rummy, Architect/Landscape Architect/Urban Designer

**Other Attendees**

Elizabeth Wrigley, Design South East  
Richard Alderton, Ashford Borough Council  
Mark Chaplin, Ashford Borough Council  
Lois Jarrett, Ashford Borough Council  
Roland Mills, Ashford Borough Council  
Cllr Harold Apps, Ashford Borough Council  
Cllr Mike Bennett, Ashford Borough Council  
Cllr Michael Burgess, Ashford Borough Council  
Cllr Gerry Clarkson, Ashford Borough Council  
Ben Ludlow, Guy Hollaway Architects  
Matt Whitby, Guy Hollaway Architects  
Hannah Whitney, Nathaniel Lichfield & Partners  
Mark Hanton, Mark Hanton Studios Landscape

**Presenting Team**

Arlene Van Bosch, U+I plc  
Frazer Thompson, Chapel Down  
Guy Hollaway, Guy Hollaway Architects

This Report is confidential as the scheme is not yet the subject of a planning application



## Summary

This site is a focal element for regenerating Ashford: it is an arrival point both on foot and in vehicles. The design here should be exceptional and though there are many promising elements and the general mass, scale and height of the development are mostly on the right lines, the townscape is disappointing.

Despite a difficult mix of building uses (consisting of residential, hotel, brewery and supermarket) the scheme achieves the right scale of townscape on the south side and a good-looking supermarket on the north side (better located in relation to the street than the brewery). However the corner sites are not providing enclosure on what is an enormous junction. If the specific issue noted later in this report about services can be resolved, the brewery building could step forward to complete the corner. Both on the junction and along the turning points from Victoria Way the traffic needs calming so that pedestrians and cyclists have a safer more pleasant experience.

The site merits a denser and more ambitious series of interventions, in which the landscape develops its own Kentish character. We suggest a strong contextual theme, possibly of water developing the relationship with the River Stour, acts as the glue to help make the masterplan work better.

Our comments are as follows:

## Site and context

The site is in two parts, north and south of Victoria Way. They are being developed as a single entity by U+I, which is a new company formed from Development Securities and Cathedral Group that has experience of delivering successful mixed-use urban sites.

Richard Alderton summarised the evolving Ashford Borough Council policy context. The eastern end of Victoria Way is a key mixed-use site, and is a focal point in the town, located very close to an entrance to the railway station, and is under 10 minutes walk to the town centre and to the Outlet Village. The south site adjoins a public foot and cycle path alongside the river, and addressing this green river corridor is a very important part of the vision for the town.

The site can assist the town to improve its tourism offer, and the recent decision to expand the Outlet Centre close to the site makes the proposed hotel use here appropriate.

Site policy seeks to complement the green corridor and create a great riverside environment. The concept for Victoria Way is of an urban streetscape with street trees and development at 4 - 6 storey height with a classic urban form. The challenge is to deliver the new mixed uses now proposed that are free standing in character, in a workable coherent urban form on this site on Victoria Way.

The use for the eastern part of the north site is for a brewery. Chapel Down currently produces its beer (brewing, bottling and distribution) from multiple sites across the country. It is seeking to consolidate all stages of production on a single site in Ashford in the Garden of England. There will also be a tourism offer on site in the form of a shop, restaurant, outdoor



public open space with a “beer garden” feel, and brewery information tours. Tanks containing the beers will be a form of artistic display within the building as well as being functional. Crowd funding for the proposal is under way.

The site has its challenges. Part of the south site near the river lies in Flood Zone 2, a mains sewer runs along the southern boundary and there is contamination from an adjoining petrol station on the eastern boundary. On the north site there is a sub station that will need to be moved, and an as yet unresolved question about whether services running under part of the corner of the north site that was formerly highway are live.

The design panel discussions firstly addressed the overall masterplan then the individual sites in more detail.

### **Masterplan**

The Panel’s key concern about the Masterplan is that the concept of Victoria Way as an urban street is diluted. This junction is one of the largest in the town, and is not pedestrian friendly. Kent Highways could follow the Manual for Streets approach and also introduce a 20 mph speed limit here, calm the junction and make the pedestrian feel better about crossing. We would like to know whether any of the lessons learnt at the Kent County Council’s ring road scheme on Elwick Road could be utilised here.

The streetscape of Victoria Way is now nine years old, but the chancicleer pears used as street trees are not tall enough to create the urban presence required on this corner.

There is currently no logic to the access points from Victoria Way. We challenge the separated service access to the Aldi and the brewery. Even if the actual routes within the sites have to be separated the junction need not be, and if the access location could be changed, the brewery building can be brought forward to benefit the street.

A satisfactory urban drainage strategy throughout the site is needed to attenuate run off from buildings and large areas of car parking. The river is prone to flash flooding so design work to seek solutions to attenuate run off will be important. Water features in the site could be used as a theme to reflect local landscape character, especially given the brewery use. The Panel also recommends exploring features that work to trap water that will also help mitigate the local noise environment from cars, lorries and trains. Features such as rain gardens, water walls, grey water recycling and green roofs could be considered here. The river corridor is not given enough emphasis, and the site could contribute to the landscape potential of the river bank.

The main junction is currently car dominated and unfriendly, and reconsidering the public realm here would be a great advantage to boost the regeneration of this key corner site in Ashford.

The landscape on all the sites will need to be of an appropriate scale unifying the area to create meaningful civic spaces rather than a collection of buildings. Planting with a red and gold theme could offer a lively contrast to the suggested building colours on the north side. Detailed comments on landscape are made throughout this report.



Whilst the proposed massing on the south sites is broadly acceptable, the current size and position on the site of the brewery building does not create the exciting focal element of arrival that it could be if repositioned nearer to the junction. We hope there will be a swift resolution of debates on the possibility of building on the ex-road and over any buried inactive services under it.

We commend the work done to achieve the massing and appearance of the proposed Aldi frontage to Victoria Way.

In summary the Masterplan needs to:

- create tighter street frontages
- achieve a focal point on the junction on the north corner
- improve links to the station from the residential properties
- form an urban street that minimises the number of new wide access roads onto it.

We also question whether the river frontage plans are ambitious enough, given the importance placed on the river corridor as a 'golden thread' linking through Ashford.

### **Brewery**

This is a key corner site. We like the building and the colour scheme, especially if at night the mesh could be back-lit. The brewery building design analysis presents the hop garden as a theme informing the building structure, but we feel this theme could continue through the whole site's external landscape and even onto the more public corner spaces. The historic hop fields are fast disappearing from Kent and a tourist destination may be the only opportunity for visitors to experience these exciting living structures. Hop poles can be lit at night, can feature winter lights, host art features, and in summer with hops growing up them will offer the sensation of this area truly being within the Garden of Kent.

We feel there is potential to introduce more mystery to the brewery entrance, relocating it on the street rather than on an open corner here, making you 'curious' to explore the site and find the facilities. We also like the idea of lighting up the vast beer containers, making them effectively art features as well as being highly functional.

There is also the potential to introduce water features, especially if they could have a real function to help absorb rainfall run off on the site.

Our main other concern is the access suggested for HGVs. Logic suggests creating one shared access road off Victoria Way for both this site and for the supermarket, from off which each can have its own access. This would minimise disruption of pedestrians walking along Victoria Way to the station, helping to meet the urban street design objective for this area.

### **Supermarket**

We commend the work done here on the massing and materials used. Landscape design here could follow a similar theme to the other frontages to help unify the sites and give a stronger street enclosure. Our comment on the access is set out above.



### **Hotel**

The use on this corner is appropriate, and the scale of building and its position on the street do meet the overall concept for building mass on Victoria Way. Our comment on landscape of the 'spare' corner strip is set out in the Masterplan section above.

We do however also have a concern about whether the quality of experience will be good in the rear car park as currently designed, since this is a space overlooked by the residents.

### **Residential**

We understand the desire to create a large south-facing courtyard facing the river and taking advantage of a south-facing orientation. Trees, fountains and rain attenuating features could all be considered for the courtyard, which, being very wide, can offer scope for accommodating a rich landscape experience. There is potential to design a scheme around using the banks of the river.

A break in the northern block could be considered, to allow glimpsed views and access to the courtyard, and help articulate the mass & form of the courtyard block. See also the comment above on the space between the hotel and residential site.

The north to south fall across this site offers scope for features such as an urban stream, use of small willows, and reflecting the change in geology here at the edge of Ashford's greens and ridge. Some of the design experiments with water at Malmo could be investigated.

There is scope to also improve pedestrian links through the site to the river including the southern end of George Street where the access and view to the river would be improved by reducing the protruding south-west wing of the apartment building. The visual impact of the sites from Victoria Way is important, but also important is the pedestrian experience, especially the first impressions coming from the station entrance and from the riverside walk.

The scale of the flats is good and the balconies are also a good size.

### **Materials**

Whilst we appreciate it is an early scheme design, we like the choice of a black colour scheme for the brewery building with the mesh offering the potential for backlit colour to be a backdrop. The sober palette elsewhere is also appropriate as is the choice of brick for the residential building. The Panel suggests that a level of uniformity in material choice across the individual sites would help achieve a more coherent urban form and contribute to the urban character.

The Panel is always pleased to see projects at a formative stage before firm commitments are made. We hope that you and your team find these comments helpful in taking the design to the next level, and we should be glad to review the scheme again. Please keep the Panel in touch with the project and do contact DSE if anything in this report is unclear.



This review was commissioned by HDD Ashford Limited with the knowledge of Ashford Borough Council.

**CONFIDENTIALITY**

Since the scheme was not the subject of a planning application when it came to the Panel, this report is offered in confidence to the addressee and those listed as being sent copies. There is no objection to the report being shared within respective practices/organisations. DSE reserves the right to make the guidance known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed to remain confidential, this report will be publicly available if the scheme becomes the subject of a planning application and to any public inquiry concerning the scheme. DSE also reserves the right to make guidance available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please let us know.

**DECLARATION OF INTEREST**

Guy Hollaway is a member of the DSE Ashford Panel. Mr Hollaway has played no part in the deliberations of the Panel or in the content of this letter.

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Annex 3 – application 16/01164/AS				
	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
1	<p><b>Carbon Off-Setting Contribution</b></p> <p>Contribution for funding carbon savings (excluding infrastructure) based on the residual carbon emissions of the building as set out in the approved energy performance certificate and quantified over 10 years</p>	<p>Each contribution to be calculated using the shadow price of carbon set out in the Sustainable Design and Construction SPD</p>	<p>Payable on the first occupation of the building.</p>	<p><b>Necessary</b> in order to ensure the development is carbon neutral pursuant to Core Strategy policies CS1, and CS10 (C), the Sustainable Design and Construction SPD and guidance in the NPPF.</p> <p><b>Directly related</b> as only carbon emissions from the commercial elements of this development would have to be off-set.</p> <p><b>Fairly and reasonably related in scale and kind</b> as off-setting would not be required in the absence of carbon emissions from this development and any payment is based on the amount of carbon dioxide to be offset.</p>



Annex 3 – application 16/01164/AS				
	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
2	<p><b>Contribution towards nearby outbound bus shelters</b></p> <p>Contribution towards the improvement of infrastructure for bus services in the vicinity</p>	£12,500	On occupation	<p><b>Necessary</b> in order to meet the increased demands on services generated by the development, promote public transport and encourage a modal shift away from private car use through making bus usage attractive by providing shelter facilities pursuant to Core Strategy policies CS1, CS2, CS15 and CS18, Urban Sites and Infrastructure DPD policy U24, Kent Local Transport Plan and guidance in the NPPF.</p> <p><b>Directly related</b> as customers and employees will travel and the facilities to be funded will be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because the amount has been calculated based on the scale of the development including its customers and employees.</p>

Annex 3 – application 16/01164/AS				
	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
3	<p><b>Commuted parking contribution</b></p> <p>Contribution towards car parks / multi-storey car park or park and ride facilities and associated services in Ashford and improving access to the site by public transport, bicycle and on foot</p>	£640,000	Upon first occupation.	<p><b>Necessary</b> as non-operational parking is to be provided in car parks and at park and ride sites and access by public transport and bicycle and on foot is to be promoted pursuant to Core Strategy policies CS15 and CS18, Ashford Town Centre AAP policies TC22 and TC25 and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers and visitors will need to access the site and the facilities to be provided would be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because the amount has been calculated based on a parking space that would otherwise need to be provided on-site.</p>

Annex 3 – application 16/01164/AS				
	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
4	<p><b>Public realm enhancements</b></p> <p>Contribution towards the carrying out of public realm enhancements</p>	£130,000	To be determined	<p><b>Necessary</b> as new buildings are and the public realm spaces around and near to them are required to be of a high quality pursuant to Core Strategy policies CS1, CS9, CS15 and CS18, Ashford Town Centre AAP policies TC1 and TC10 and guidance in the NPPF.</p> <p><b>Directly related</b> as the hotel would result in a greater number of people passing through this area to access the hotel (from off-site car parks, bus and rail services) and then, during a stay, passing through this area to access other facilities in the town centre. The upgraded public realm will be available to those people.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the nature of the development and the number of pedestrian movements it would generate through the public realm.</p>

Annex 3 – application 16/01164/AS				
	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
5	<p><b>Notice of commencement of development</b></p> <p>To be served on the Council</p>	N/A	Commencement of development	<p><b>Necessary</b> to give legal certainty as to the start date of the development.</p> <p><b>Directly related</b> to the application before the Council.</p> <p><b>Fairly and reasonably related in scale and kind</b> to the development for which permission is sought.</p>
6	<p><b>Monitoring fee</b></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	£500	First payment upon commencement of development and on the anniversary thereof in	<p><b>Necessary</b> in order to ensure the planning obligations are complied with.</p> <p><b>Directly related</b> as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p>

Annex 3 – application 16/01164/AS				
Planning Obligation				Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)		
			subsequent years	<b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the proposed planning obligations.
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the <a href="#">council web site</a> in order to ensure the value is not reduced over time. The costs and disbursements of the Council’s Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee’s resolution to grant, the application may be refused.</p>				