



## Planning Committee

Wednesday the 22<sup>nd</sup> April 2020 at 7.00pm

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### Update Report for the Committee

The following notes and attached papers will be referred to at the meeting and will provide updated information to the Committee to reflect changes in circumstances and officer advice since the reports on the agenda were prepared

3. Requests for Deferral/Withdrawal

4. Schedule of Applications

(a) **19/01476/AS – Newtown Railway Works, Newtown Road, Ashford, Kent, TN24 0PN** - Detailed application for a mixed-use development comprising:-

- film/TV Studios with associated post-production offices and workshop and media village (18,845 sqm) (Use Class B1);
- a hotel (Use Class C1) including ancillary space and circa 62 serviced apartments (Use Class C3) (max. 112m AOD);
- a multi-storey carpark (max. 62m AOD);
- change of use, internal and external alterations to the listed Locomotive Shed buildings, including increasing the height by an additional two-storeys (max. 62m AOD), to provide flexible commercial floorspace (7,185 sqm) for use in connection with the film/TV studios (Use Class B1/ D1) including 265 sqm café (Use Class A3) and circa 302 residential units (Use Class C3) and internal parking spaces;
- change of use, internal and external alterations to listed Engine Shed building, including increasing the height by an additional two storeys (max.53m AOD) , to provide (2,605 sqm) flexible commercial space (Use Class B1/ D2/A3) and;
- change of use, internal and external alterations of the Paint Shop building, Acetylene Store and Clock Tower listed buildings to provide ancillary uses to the film/TV studios (Use Class B1);

plus associated infrastructure including open space, landscape and public realm provision, external parking, servicing, pedestrian and vehicular access and associated engineering, utilities and infrastructure works.

### FURTHER REPRESENTATIONS

**EKC Group** – support the proposal and state:-

*'EKC Group operates a family of 6 Further Education Colleges and other technical education business units across East Kent. This now includes Ashford College, which we acquired on 1 April 2020. As an education group, we support*

*developments which provide tangible opportunities for our students and the wider community that we serve. We welcome this exciting new development at Newtown Works as it will create many opportunities for our students, including work placements, Apprenticeships and other careers. As we have done on other schemes, we will work closely with the operators, HE partners, and other stakeholders to ensure that we develop and deliver provision that will meet the skills requirements in Creative, Digital, Hospitality, Construction and Building Services, and other relevant sector areas.'*

**Creative England** – support the proposal as the national agency providing support to the creative industries in England and working in partnership with the Kent Film office to attract inwards investment from film and TV production.

**KCC (Flood & Water Management)** – having reviewed the applicant's revised Flood Risk Assessment and Drainage Strategy, raise no objection and request planning conditions are attached.

**SWNCC** – by e-mails 01/04 and 16/04 confirm objection to the application. In summary, the following points are made;-

- (a) It was hoped that the community facilities to be provided would be more extensive including an office, meeting room and a complementary community venue to the SWAN centre (which is suggested as being over-subscribed according to the trustees). The application plans and a more recent suggestion from the applicant for an enlarged community room do not go far enough. SWNCC's vision was the creation of a 'social hub'. A request was made of the applicant to include the adjacent café within the community facility but the applicant has not been able to give assurances that this could be achieved as this area of the site would be within the area operated by The Creative District Improvement Company.
- (b) Parking remains an immediate concern. Parking controls would be needed on Samuel Peto Way to deal with car parking activity that blocks paths and displaced vehicles could then impact on other nearby streets both within and outside the site.
- (c) Speeding, as well as traffic volumes, are a concern. SWNCC suggest that if this is not regulated soon, it could lead to parking problems, greater congestion, environmental challenges and in SWAN's case, additional traffic movements on its key thoroughfare (Newtown Rd/Orbital Park). Proposed measures to deal with overspill parking are welcomed but are considered inadequate. SWNCC would like to see the s.106 commitment extended to KCC's "patch" and include s.106 funding to explore a wider traffic management and speeding analysis or further examination of successful urban schemes such as the 'Mini-Holland' scheme in Waltham Forest (which includes measures to make cycling, walking and public transport more attractive). SWNCC has carried out its own survey analysis of the neighbourhood and this has revealed that traffic management is considered an issue.
- (d) The proposed crossing to link to Ellson Way would be located not far from an existing light-controlled crossing. It is considered a disadvantage to drivers and a potential source of annoyance. The money should be spent on other matters.
- (e) SWNCC maintain the planning and housing policy concerns it has already expressed.

(f) As a newly elected body, SWNCC has felt excluded from the s.106 process and only found out at the 11<sup>th</sup> hour that a s.106 contribution towards dealing with overspill parking issues was being proposed.

### Residents / individuals

**In support:** a further 5 comments have been received reiterating the points that are already summarised in the report. One supporter comments;-

*'I am a film studio / facilities professional who ran 3 Mills Studios in East London for 3 years. When we are through the corona virus crisis, the demand for content will ensure that film & TV industry will be one of the strongest to recover and there is a significant and well documented need for production space outside London. This development would be a substantial benefit to the production industry, as well as revitalising an underused area and providing educational and employment opportunities to many in Kent.'*

**In objection:** a further 2 representations have been received making the following points;-

- the height of the hotel has got taller contrary to local wishes and is objectionable (and the need for a tall building is questioned given other planning proposals near to the railway station)
- concerns remain about vehicular access & the low height railway-line bridge
- Ashford should have a railway museum similar to many railway towns
- it is unclear as to whether profits from the proposed café located adjacent to the community space would be reinvested into the community by the developer

### **RECOMMENDATION FORMATTING ERROR**

The Recommendation in the report contains a formatting error after part (B). It should read;-

'(C) Subject to...' and  
'(D) Permit'

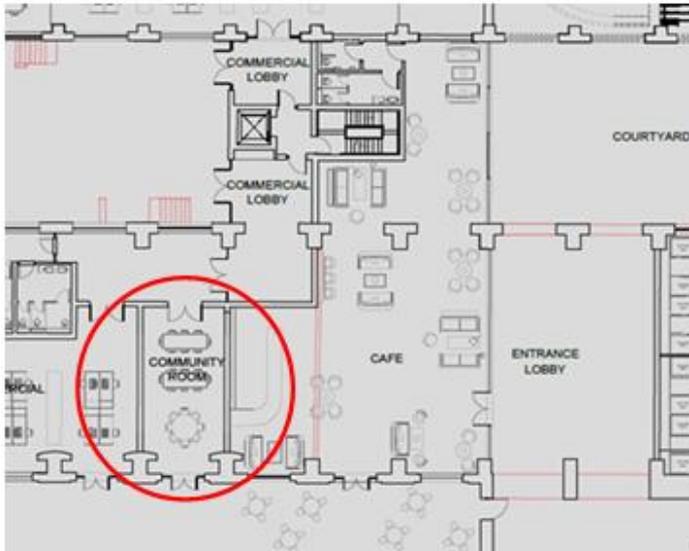
### **RECOMMENDATION UPDATE**

It is not unusual for major development proposals to be the subject of further minor finessing prior to a decision is issued (in this case, on the completion of the s.106 agreement). I propose that this be built into Recommendation (C) as it would complement the approach that is proposed to be taken to the finessing of planning conditions and obligations. Therefore;-

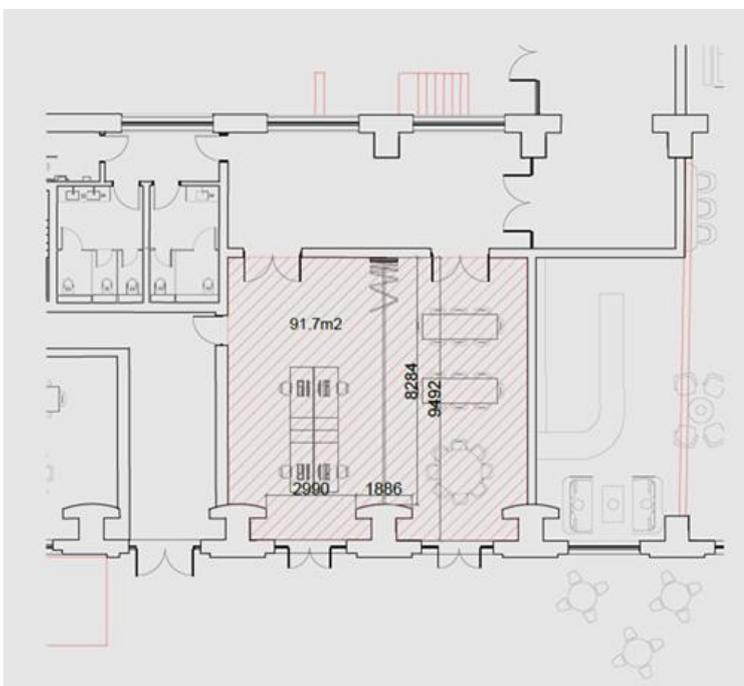
Recommendation (C) – after 'deletions' insert 'and approve minor changes to application drawings'

**PROPOSED ENLARGEMENT OF THE LOCOMOTIVE SHED COMMUNITY ROOM & CONSEQUENTIAL CHANGES TO TABLE 1 HOT 4**

As paragraph 40 (vi) and Figure 28 of the report identifies, the applicant's proposal in the amended plans is to include a Community Room located within the ground floor of the Locomotive Shed adjacent to a proposed café. The café would be located at the junction of the commercial / educational and residential uses that are proposed within that building. The proposal provided for a 41.4 sqm room as shown circled in red on the drawing extract below;-



I understand that the applicant has since discussed this proposal at a second public consultation event and, as a consequence, has now tabled with me a revised drawing (Drawing 200.00 Rev P3) that would provide for an enlarged 91.7 sq.m room for use at certain times with flexibility to be subdivided or opened up into one large room as needs require. The applicant's agent suggest this is indicative which I take to mean that there is scope to adjust the proposition further. The enlarged room is shown hatched red on the drawing extract below;-



I support the amended proposal. It would double the amount of community use floorspace in a good location. Recommendation (B) in the report provides the ability for Drawing 200.00 Rev P3 to be substituted in place of the earlier iteration dealing with the ground floor of this part of the Locomotive Shed. SWNCC has also raised issues with me in terms of the detail of the proposed 'Community Use Agreement' to be secured by s.106 planning obligation.

The proposed HOT Item 4 in Table 1 of the report requires the Agreement to come forward for Council approval covering a wide range of matters such as;-

- reasonable hire fees,
- terms & conditions of hire,
- methods of booking and gaining access to the building,
- availability (times, days of week etc).

To give further comfort to SWNCC, I consider that it would be reasonable to require that the Agreement submitted to the Council is one that has been the subject of prior consultation with SWNCC with SWNCC's written comments to be supplied to the Council. This would help ensure there has been good dialogue between the applicant and SWNCC shaping the use of the room (and that if any SWNCC issues have not been able to be accommodated then there is a clear explanation as to why this is the case). I have not received a direct response from SWNCC on this suggestion. Nevertheless, I consider it would be a sensible refinement. I therefore propose the following changes;-

Item 4 Table 1: 2<sup>nd</sup> column – after 'and' insert 'following prior consultation with SWNCC'

&

after 'etc' insert 'together with details of SWNCC's written comments relating to the use of the facility pursuant to the required consultation and written clarification as to how requests have / have not been able to be incorporated in the proposed Agreement'

## **STRATEGIC HIGHWAYS**

Since the report was drafted, Highways England has confirmed there are now no impediments to the Bellamy-Gurner upgrade to the Orbital Park junction proceeding. I have therefore requested a response from the developer taking forward that scheme so that delivery can commence in the near future. Delivery requires the completion of a s.278 agreement between the developer and Highways England. Preparatory work on that agreement has previously been carried out as part of on-going discussions between the two parties.

The issue of any applicant funding required by HE to help facilitate signal optimisation of the upgraded 'Bellamy-Gurner' Orbital Park junction remains an unresolved issue. If it is concluded as being necessary, Recommendation (C) provides delegated authority for this to be dealt with by either an additional s.106 obligation or by means of an additional planning condition.

## **ADDITIONAL HIGHWAYS RELATED PLANNING CONDITIONS**

Highway condition survey of Crowbridge Road and Newtown Road to be provided

Changes to the Beaver Road arm of the Beaver Road / Avenue Jacques Fauchoux / Victoria Way to be carried out / funded by the applicant to an agreed timescale in order to mitigate the impacts of the development on the operation of that junction

Condition to deal with the provision of the missing double yellow lines on Newtown Road to help prevent any overspill parking

Construction phase and operational phase signage details for the site from the A2070 and, where appropriate, from the local highways network

Bus stop improvement strategy

Events Management Plan

## **ADDITIONAL OTHER PLANNING CONDITIONS**

Fine detail of EV charging facilities for the Locomotive Shed residents' only car park

No helicopter landing within the site

Noise / Air Quality / Car park fumes / Lighting

Materials for the rear of the x 4 Film Studios to be approved including exploration of the further finessing of the materials palette and its distribution.

Access controls to the interior residential and commercial open spaces within the Locomotive Shed

Secure access arrangements for access into the Locomotive Shed residents' only car park

Heritage celebration, interpretation of the site's industrial archaeology and retention of industrial artefacts (including signage) strategy to be agreed (including related locations within and close to heritage buildings)

Ecological mitigation strategy (including areas to be designed with ecological sensitive lighting and nesting and roosting boxes)

Residents Travel Plan including exploration of a car club operated by a 3<sup>rd</sup> party provider (or direct provision & management of the same by the developer)

## **TV/SATELLITE SIGNALS**

The applicant's agent confirms that in respect of concerns expressed by residents about possible adverse impacts of the hotel on signals, professional advice has been sought. The agent confirms that the proposals would have no material

impact on signals requiring mitigation. Should Members require it, the formal submission of this information for verification could be the subject of a further planning condition.

### **ERRATA: s.106**

There are two instances in the report where the identified totals, following ~~struck-through~~ requests, were not recalculated and therefore need changing as follows;-

Para 269: KHTs.106 contribution requests total – delete ‘£545,054.00’ and replace with ‘£360,054.00’

Para 269: ABC Cultural Services s.106 contribution requests total – delete ‘£578,060.59’ and replace with ‘£506,477.13’

### **Para 269 ABC (Sports)**

The Sports England Calculator is now being used by the Council for these calculations as is identified in subsequent paragraph 271.

The ‘Indoor sports’ sum correctly includes capital cost and a 10 year commuted maintenance sum. However, the ‘Outdoor sports’ sum omits, in error, sums in relation to grass pitches and 10 year commuted maintenance. Therefore the following changes are necessary;-

Delete ‘£119,490.00’ and replace with ‘£320,179.00’

&

Table 1 Item 8 column 2 – delete ‘£119,490.00’ and replace with ‘£320,179.00’

### **TYPOS**

Para 27: 1<sup>st</sup> sentence – delete ‘303’ and insert ‘302’

Para 33: 2<sup>nd</sup> sentence – delete ‘3-way’ and insert ‘2-way’

Para 40 (iv) – delete ‘building’ and insert ‘relocating of’

Para 42: final sentence – insert missing bracket at sentence end

Para 48: 1<sup>st</sup> sentence – delete ‘taking’ and insert ‘taken’

Para 68 (iv): 1<sup>st</sup> sentence – delete ‘conducive’ and insert ‘consistent’

Para 70: 1<sup>st</sup> sentence – delete ‘in’ and insert ‘if’

Para 97: 2<sup>nd</sup> sentence – after ‘deals’ insert ‘with’

Para 136 – last sentence – delete ‘s.106 obligation’ and insert ‘planning condition’

Para 152: last sentence – after ‘that’ insert ‘the tower’

Para 235: 2<sup>nd</sup> sentence - delete ‘3-way’ and insert ‘2-way’

Para 249: after ‘planning’ insert ‘conditions and/or’

Para 260: 2<sup>nd</sup> sentence – after ‘end’ insert missing bracket.

Para 297: last sentence – delete ‘require’ and insert ‘provide’

Para 302: last sentence – delete ‘carp park ion’ and insert ‘car park in’

- (b) **19/01694/AS – Newtown Railway Works, Newtown Road, Ashford, Kent, TN24 0PN** - Internal and external alterations to include repair, partial demolition and alteration. Removal of non-original roof to locomotive shed and replacement with two storey extension at roof level and extensions and internal divisions to convert the building to a mix of Use Class B1/D1, residential units and internal car park. Removal of non-original roof to Engine Shed and replacement with two storey extension at roof level and alterations to convert the building to gym/restaurant and Use Class B1 floorspace. Conversion of Paint Shop building, Acetylene Store and Clock Tower to provide commercial uses.

### **FURTHER REPRESENTATION**

**SWNCC** – object as per application 19/01476/AS

#### Resident

**In objection:** an objection has been received from a resident and covers the same broad issues as raised as per application 19/01476/AS. The objector does not make any reference to the detail of the application for listed building consent.