



## PLANNING COMMITTEE

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on  
**Monday, 10th February, 2020 at 6.00 pm.**

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The Members of the Planning Committee are:-

Councillor Burgess (Chairman)  
Councillor Blanford (Vice-Chairman)

Cllrs. Chilton, Clarkson, Clokie, Harman, Heyes, Howard, Howard-Smith, Krause,  
Ovenden, Shorter, Smith, Spain, Sparks, Ward, Wright and Forest

If additional written material is to be submitted to the Planning Committee relating to any report on this Agenda, this must be concise and must be received by the Contact Officer specified at the end of the relevant report, and also copied to [Planning.help@ashford.gov.uk](mailto:Planning.help@ashford.gov.uk), before 3pm on the day of the Meeting so that it can be included or summarised in the Update Report at the Meeting, otherwise the material will not be made available to the Committee. However, no guarantee can be given that all material submitted before 3pm will be made available or summarised to the Committee, therefore any such material should be submitted as above at the earliest opportunity and you should check that it has been received.

### Agenda

Page Nos..

1. **Apologies/Substitutes**

To receive Notification of Substitutes in accordance with Procedure Rule 1.2(c) and Appendix 4

2. **Declarations of Interest**

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To declare any interests which fall under the following categories, as explained on the attached document:

- a) Disclosable Pecuniary Interests (DPI)
- b) Other Significant Interests (OSI)
- c) Voluntary Announcements of Other interests

See Agenda Item 2 for further details

3. **Requests for Deferral/Withdrawal**

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#### 4. Schedule of Applications

(a) **18/01861/AS - Land at Playing Fields and Linden Grove Primary School, Stanhope Road, Stanhope, Kent**

3 - 86

Outline application with all matters reserved, except the 3 main "Access" points off Stanhope Road into the site, for the construction of up to 205 no. dwellings and up to 65 no. bedroom Extra Care housing, replacement of the Ray Allen Children's Centre, together with the provision of open space, landscaping, drainage, infrastructure and earthworks.

#### **Note for each Application:**

- (a) Private representations (number of consultation letters sent/number of representations received)
- (b) The indication of the Parish Council's/Town Council's views
- (a) Statutory Consultees and Amenity Societies (abbreviation for consultee/society stated)

Supports 'S', objects 'R', no objections/no comments 'X', still awaited '+', not applicable/none received '-'

#### **Note on Votes at Planning Committee Meetings:**

At the end of the debate on an item, the Chairman will call for a vote. If more than one motion has been proposed and seconded, the motion that was seconded first will be voted on first. When a motion is carried, the Committee has made its determination in relation to that item of business and will move on to the next item on the agenda. If there are any other motions on the item which have not been voted on, those other motions fall away and will not be voted on.

If a motion to approve an application is lost, the application is not refused as a result. The only way for an application to be refused is for a motion for refusal to be carried in a vote. Equally, if a motion to refuse is lost, the application is not permitted. A motion for approval must be carried in order to permit an application.

RR  
31 January 2020

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## Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted).

However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency alone, such as:

- Membership of amenity societies, Town/Community/Parish Councils, residents' groups or other outside bodies that have expressed views or made representations, but the Member was not involved in compiling or making those views/representations, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: Where an item would be likely to affect the financial position of a Member, relative, close associate, employer, etc.; OR where an item is an application made by a Member, relative, close associate, employer, etc., there is likely to be an OSI or in some cases a DPI. ALSO, holding a committee position/office within an amenity society or other outside body, or having any involvement in compiling/making views/representations by such a body, may give rise to a perception of bias and require the Member to take no part in any motion or vote.]

### **Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG's Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5962/2193362.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf)
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution alongside the Council's Good Practice Protocol for Councillors dealing with Planning Matters. See <https://www.ashford.gov.uk/media/2098/z-word5-democratic-services-constitution-2019-constitution-of-abc-may-2019-part-5.pdf>
- (c) Where a Member declares a committee position or office within, or membership of, an outside body that has expressed views or made representations, this will be taken as a statement that the Member was not involved in compiling or making them and has retained an open mind on the item(s) in question. If this is not the case, the situation must be explained.

**If any Member has any doubt about any interest which he/she may have in any item on this agenda, he/she should seek advice from the Director of Law and Governance and Monitoring Officer, or from other Solicitors in Legal and Democracy as early as possible, and in advance of the Meeting.**

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<b>Application Number</b>	18 /01861/AS	
<b>Location</b>	Land at Playing Fields and Linden Grove Primary School, Stanhope Road, Stanhope, Kent	
<b>Grid Reference</b>	599666 / 140550	
<b>Parish Council</b>	Stanhope	
<b>Ward</b>	Stanhope Ward, (immediately adjoins Norman Ward and Roman Ward)	
<b>Application Description</b>	Outline application with all matters reserved, except the 3 main "Access" points off Stanhope Road into the site, for the construction of up to 205 no. dwellings and up to 65 no. bedroom Extra Care housing, replacement of the Ray Allen Children's Centre, together with the provision of open space, landscaping, drainage, infrastructure and earthworks.	
<b>Applicant</b>	Kent County Council	
<b>Agent</b>	Barton Willmore LLP The Observatory Southfleet Road Ebbsfleet Dartford, Kent DA10 0DF	
<b>Site Area</b>	7.06 hectares	
<b>Consultation</b>		
(a) 335/46R/2X	(b) R	(c) KCC H&T – X, KCC SUDs – X, KCC Arch – X, KCC Bio – X, EHM – X, ABC Refuse – X, ABC Housing – X, Open Spaces – X, Police – X, Kent F&R – X, NHS – X, SW – X, SGN – X, UKPN – XSE – X, RS IDB – X

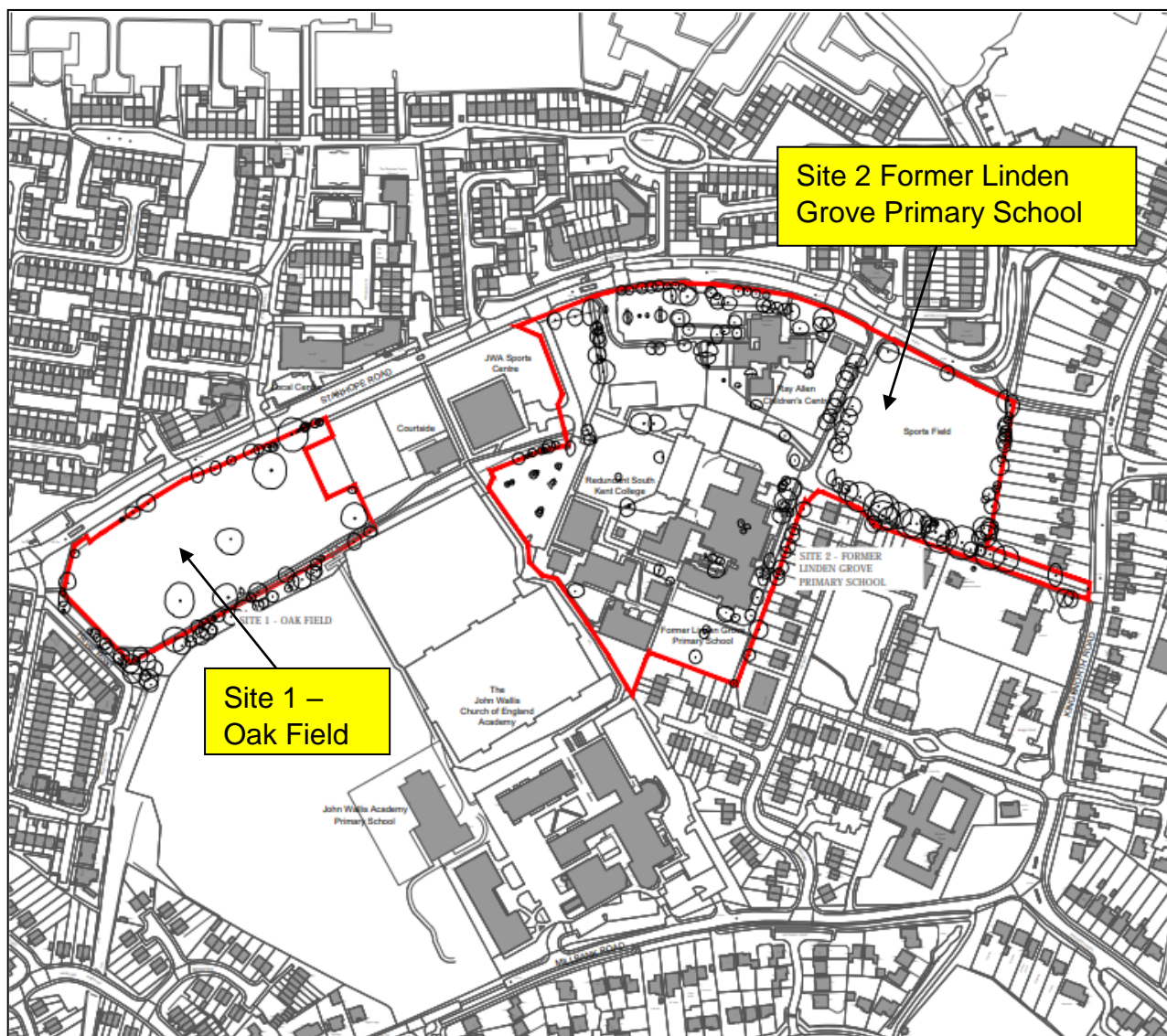
## Introduction

1. This application requires determination by the Planning Committee under the scheme of delegation because the scheme proposes more than 9 houses and the site is more than 0.5 hectares in size, so is classified as a major development.

## Site and Surroundings

2. The application sites comprises two separate plots of land approximately 100m apart,, with an overall combined site area of approximately 7.04 hectares. To the west lies Site 1 (Oak Field) which has an approximate area of 1.55 hectares and to the east is Site 2 (Former Linden Grove Primary School). This is now largely unused, and has an area of approximately 5.49 hectares. These sites are on land surrounding the John Wallis Academy which features a cluster of large educational buildings set within substantial landscaped grounds featuring both grass and artificial sports pitches. A new primary school and nursery building was built by John Wallis Academy 3 years ago to replace the Linden Grove School buildings.
3. Both parts of the application site immediately adjoin a major community sports facility known as Pitchside and Courtside, with some of these facilities being available for use by the school, including indoor sports hall, outdoor grass pitches (used for football, rugby, athletics and rounders), 6 outdoor hard surface courts (used for tennis and netball) and a full size artificial grass football pitch. A significant number of these pitches are floodlit to enable community use in the evenings.
4. Both parts of the application site are bounded on the northern side by Stanhope Road, and beyond that the 1960's Stanhope housing estate. A relatively new retail centre featuring flats was built approximately 13 years ago and is located directly to the north of Site 1 fronting onto Stanhope Road.
5. The application site is located within the Parish of Stanhope and it immediately adjoins both Norman Ward and Roman Ward.
6. The smaller of the two plots (Site 1 Oak Field) comprises mostly open grassland punctuated by several trees which are protected by TPO, and it is bounded on the north side by Stanhope Road, with residential development to the north and west. To the immediate south is the open sports grounds owned by the John Wallis Academy. The larger plot (Site 2 Former Linden Grove Primary School) comprises land previously owned by the redundant South Kent College and former Linden Grove Primary School, and it contains a number of vacant buildings previously used for education purposes, with an open sports field to the north east and hardstanding playgrounds and car parks. This site includes the Ray Allen Children's Centre building which is still in use. With the exception of the northern side bounding Stanhope Road, both plots of land are enclosed by mature trees and sparse hedgerow.
7. The application site is situated on the southern edge of Stanhope, and is surrounded on all sides by residential development. To the east is Kingsnorth Road, which services the larger plot with an access road.

8. To the south of the site is the John Wallis Academy, which contains a secondary school, nursery, and the relocated Linden Grove Primary School. The school sports/playing field abuts the southern boundary of the smaller plot in this application.



**Figure 1 – Site location plan**

9. To the south east of the larger plot are residential dwellings situated on The Limes as well as a large area of modern housing to the south of Millbank Road. The back gardens of some of these properties along with properties in Kingsnorth Road form the boundary with the Linden Grove sports field. There is an existing pedestrian connection from The Limes into the school as well as an informal narrow vehicle access lane from Kingsnorth Road which at one time seems to have served as a secondary access to the Linden Grove school. A relatively well used cycleway and footpath connects Kingsnorth Road to Stanhope Road on the north-west corner of Site 2.



10. To the east of the site are residential dwellings along Kingsnorth Road. As with the properties on The Limes, the rear gardens form the boundary with the site.
11. There are no designated PROWs running through the site, though there are public footpaths adjoining Stanhope Road and Kingsnorth Road that the application site has easy access to. There are no designated wildlife sites or nature reserves within the application site or immediately adjoining it, although there is a considerable amount of archaeology & archaeological potential within the application site.



*Figure 2 – Aerial photo of the site*

## Proposal

12. Originally the outline planning application proposed the construction of up to 246 dwellings including 210 residential units and 36 Extra Care Housing units and replacement of the Children's Centre together with the provision of open space landscaping, drainage, infrastructure and earthworks on Land at former Playing Fields and Linden Grove Primary School. Initially all matters except access were reserved.

Following negotiations, and for the purpose of clarity, the initial scheme was amended following discussions. The proposals now include an increase of 29



extra units from the original 36 extra care units up to a maximum of a 65 bedroom extra care housing units. The number of dwellings has reduced by 5 from a maximum of 210 units down a maximum of 205 residential units. This proposal for up to a combined 270 residential and extra care units could result in a net overall increase of up to 24 units from the initial combined 246 residential dwellings and extra care units originally proposed when the application was first submitted. The proposals now feature the following changes;

- Extra care units relocated from Oak Field (site 1) to eastern part of the site (site 2)
- Inclusion of replacement football/sports pitches.
- Inclusion of a replacement MUGA
- The existing sports changing rooms are now to be replaced by new changing room facilities located in close proximity to sports facilities but not within application site.
- Further off-site improvements are being provided including replacement parking spaces (172 spaces); improvements to route from existing JWA car park; resurfacing of existing 3G pitch

13. The main reasons for the need for these changes were because;

- The Oak Field was considered unsuitable for housing development
- The extra care facility was considered to be better located to the east closer to Farrow Court as this existing facility includes a community resource centre, sheltered housing units for older people, an eight-bed recuperative care centre and 12 independent living units for people with learning disabilities.
- The extra care facility needed more units to make it a viable facility.
- The loss of car parking facilities was not supported and securing extra parking provision was necessary.
- Sports England wanted replacement football pitches as mitigation for the loss of the former school sports field with good parking and changing facilities. The new location of replacement pitches near existing sports facilities, changing facilities and parking was more appropriate than within the main residential area as initially proposed.
- The existing changing rooms needed upgrading and in the current position would hamper the ability to create a satisfactory housing layout.

14. The matters for consideration at this stage are the principle of the development, the quantum of development and uses proposed. In addition, the three vehicular accesses to the site from Stanhope Road are to be determined, with all other access matters being reserved matters. All other matters relating to landscaping, layout, scale, appearance and all further

access ways into or through the site are all reserved matters for consideration at a later date should outline planning permission be granted.



**Fig** 3 Proposed Accesses

- An indicative layout has been submitted and this shows that Site 1 Oak Field, which is the western most part of the application site, will accommodate the replacement Ray Allen Children’s Centre; a replacement multi use games area; 2 replacement junior grass football pitches; and a new footpath link within this existing area of informal green open space. The parameter plan (at figure 3 above) which is being approved as part of this application shows the same indicative layout and the 3 points of access from Stanhope Road which are for approval.



**Figure 4- Illustrative Layout**

16. The indicative layout for Site 2 which is the eastern most area and which contains the former Linden Grove Primary School, includes all the proposed housing (C3 use); and the extra care housing facility (C2 use), along with some new linked open green spaces and some swales/attenuation ponds.
17. The extra care facility (up to 65 beds), with its dedicated parking and private gardens, is proposed along part of the eastern boundary of the site.
18. In terms of parking provision, the proposal is:

Existing Parking Spaces		Replacement Parking Spaces	
Pitchside/Courtside Car Park	<b>87</b>	On street (site 1) adjacent to RAC	<b>38</b>
Stanhope Sports Centre Car Park	<b>5</b>	On street (site 2)	<b>36</b>
Ray Allen Centre (RAC)	<b>55</b>	Stanhope Sports Centre	<b>82</b>
		John Wallis Academy	163
		<i>(existing car park – available for users of sports pitches during most weekday evenings and at weekends)</i>	
<b>Total 147</b>		<b>Total 319</b>	
<i>Former Linden Grove school car park 49* (Car park was never available to users of sports pitches or RAC – spaces have not been used since school moved)</i>			
<b>Net Increase for users of sports facilities 172</b>			
<i>Available for users of sports pitches during most weekday evenings and at weekends</i>			

The new parking will be provided in the following locations;



- 163 spaces to be made available within the existing John Wallis Academy school car park (off site)
- 82 newly constructed car parking spaces within an area of land adjoining the Stanhope Sports Centre (off site)
- 38 new on street parking spaces along Stanhope Road close to site 1 (Oak Field) (off site)
- 36 new parking spaces along Stanhope Road close to Site 2 (former Linden Grove Primary School)

As the new parking is outside the site boundary the new parking is not shown on the illustrative layout or parameter plan, however it shown on the plan below in figure 5.



**Figure 5 - Indicative layout showing location of proposed parking provision**

19. Protected trees will be retained on the site wherever possible although some flexibility may ultimately be required when the detailed layout comes forward at the reserved matter stage. Only in exceptional circumstances will an individual protected tree be considered acceptable for removal and if this scenario arises they will need to be replaced by more than one semi mature replacement tree of equivalent quality.



Figure 6 - Site 2 Indicative Layout

20. The indicative layout suggests a potential housing mix of
- 57 x 1 bed apartments
  - 49 x 2 bed apartments
  - 27 x 2 bed houses
  - 52 x 3 bed houses
  - 20 x 4 bed houses
  - 65 x 1 & 2 bed extra care units (C2 use)
21. The following documents have been submitted in support of the application:
22. **Planning Statement** – This provides an overview of the site, its context and the relevant planning history. It also provides a review of all applicable development plan and emerging policies as well as the NPPF and other relevant guidance. The report concludes that the planning proposal is appropriate in planning terms. In summary it states
- Section 38(6) of the Planning & Compulsory Purchase Act 2004 confirms that planning applications are to be determined in accordance with the Development Plan unless material circumstances dictate otherwise.
  - The Site is located within the urban area of Ashford, largely consisting of previously developed land. The buildings on the Site are imminently to become redundant following relocation of the Linden Grove Primary



School onto the John Wallis Academy campus. The new school has been forward funded by Kent County Council at the request of the local community. KCC is therefore seeking to ensure best value from the disposal of the existing site to recover the costs of the new community facility.

- The Site is situated in a sustainable location, with good access for future residents to local services via a range of transport options other than the private car. Its redevelopment would contribute to the three objectives of sustainability as set out within the NPPF and would make most efficient use of land through the maximisation of density, which is reflective of the character of the local area.
- The principle of development is supported within the Council's Local Plan to 2030 (SP1 & HOU3a), being the redevelopment of land within the most sustainable settlement of Ashford. The proposals would also positively contribute to the Council's windfall housing land supply.
- The planning application is supported by a comprehensive suite of technical reports, which demonstrate that the proposed development does not give rise to any harmful environmental impacts. The parameter plans include details to demonstrate how the proposed development could be delivered on the Site in an appropriate manner and reflective of local character.
- The proposals have been the subject of public consultation and significant pre-application discussions. The public consultation event attracted relatively little public interest (48 attendees from 600 invitations) and those in attendance generally supported the principle of redevelopment of the Site.
- It is a key theme of the NPPF that there is a 'presumption in favour of sustainable development.' This Statement demonstrates compliance with the themes in the NPPF and when taken together it has been demonstrated that the proposals represent a sustainable form of development.
- Therefore, it is concluded that the proposals are acceptable and will contribute towards creating a high quality environment. As such, the proposals should be supported and planning permission granted without delay (NPPF, para 14).

23. **Transport Statement** – The Transport Statement concludes follows:

- In terms of transport planning policy, the proposals are not considered to conflict with any local or national policies in regard to accessibility, sustainability and highway safety. The site lies within walking distance of an hourly bus service with amenities located within a short walking distance, it is

considered that the site is located within a sustainable location.

- A review of local road safety conditions has identified no overarching concerns. Six incidents were recorded within the study area, with the causation being human error. As such, it is not considered that the development proposals will exacerbate road safety concerns in the area.

- A trip attraction forecasting has been undertaken for the proposed development across the weekday AM and PM peaks. This included an assessment of the existing site trip potential following discussions with the Highway Authority.

- An addendum to this report has been provided, outlining the results of the junction capacity assessment exercise, as requested by KCC Highways and Transportation.

24. In April 2019 a Transport Technical Note was produced to provide a response to the comments made by Kent County Council Highways and Transportation (KCC H&T) on 27<sup>th</sup> February 2019 to the application as originally submitted..

25. Following the amendments to the numbers of units and location of the extra care home and Children's Centre, further highway information was submitted on 16<sup>th</sup> December which demonstrate that the amended scheme proposals will result in a reduction of 5 vehicle trips in the am peak and reduction in 5 vehicle trips in the pm peak.

26. **Drainage Strategy** – The Drainage Strategy concludes as follows:

Following consultation with the drainage authority and utility companies, it has been confirmed that some aspects of the proposed scheme cannot be serviced from the existing infrastructure, as follows:

Water: South East Water advise that the applicant that two areas of offsite reinforcement will be required to serve the site [the applicant has subsequently advised that South East Water would have to pay for these reinforcement works and would charge the developer for connecting to the network].

Foul Water Drainage: A Feasibility Study is required to define extent of works required to provide capacity. The cost of the study is £4,320.00. For the existing rising main crossing the western land parcel, the options are to revise the development layout or consult with Southern Water regarding diversion works.

Southern Water has informed the applicant that they have undertaken a desk study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that there is an increased risk of flooding unless any required

network reinforcement is provided by Southern Water. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme. Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement. Southern Water have requested a condition.

This can be dealt with by condition.

27. **Design and Access Statement** – The Design and Access Statement accompanying the application summarises the following opportunities to arise from the development: The opportunities are to contribute to the character and quality of the area by replacing poor quality vacant and redundant former educational buildings with good quality housing, open space and associated infrastructure by:

- Providing for a mix of affordable and market housing to meet an identified need in a location that reduces the need to travel by private transport and is near services and facilities
- Securing the efficient use of brownfield land in a wholly sustainable location;
- Improving safe pedestrian linkages across the sites for schools and community use
- Creating a new and attractive frontage along Stanhope Road
- Providing improved open spaces for the community
- Providing other publicly accessible open spaces including gardens, informal recreational space and a community green which can be utilised by the wider locality as well as new residents
- Providing significant opportunities for biodiversity enhancements on the Site and supporting the wider eco-system
- Delivering much needed Extra Care accommodation for older people
- Providing a new and improved children's centre, as well as replacement sports provision

28. **Landscape Strategy – (Included within D&A Statement)**

This states that the development landscape proposals provide a significant amount of high quality accessible green space with the enhancement of an informal public park (Oakfield), the creation of a central pocket green; and the retention of a sports field.

The enhanced informal park on Site 1 will have new residential units and the extra care unit overlooking from the west and north allowing for natural passive surveillance and borrowed landscape. The relocated Ray Allen Centre to the east allows the potential for further natural integration of open space into community interaction. The parks maintenance procedures will be structured to enhance biodiversity and ecology.

The central pocket green will be a focal space and will include natural resting stops in the key pedestrian movement from east to west.

The retained sports field on Site 2 on the eastern boundary has mature tree hedged boundaries on the east and southern boundary. Although the central areas will be maintained for playing sport, the boundaries will be informal space with landscape designed to provide a number of different wildlife habitats looking to maximize opportunities to enhance ecology.

Landscape Design - The Landscape proposals for the Site seek to: • Retain and enhance boundary vegetation and tree planting;

- Use green infrastructure to help soften the development and tie into the existing boundary planting;
- Provide new safe links into the adjacent JWA school site.
- Provide new cycle footpath connections through the Site.

One of the key influences on proposed site layout is to provide and integrate a variety of open green spaces overlooked and encircled by residential housing. The retention of all Category A and most Category B trees formed the developable footprint including the natural creation of a central pocket green formed around key specimen trees.

The layout of has allowed for sensible and realistic locations for street trees, using different species to provide character and distinctiveness. The selection of these trees has been carefully considered to reflect the scale of the street and their proximity to homes.

Open Space Types - A key focus of the proposal is to provide and enhance public open space over the two Sites. The proposal will provide a variety of types of open space to cater to the wide diversity of the local community and the proposed development.

Taking inspiration from the existing landscaping, the provision of open space green spaces has been weaved through the proposed retaining a substantial amount of the existing mature trees. Types of Open Space to be provided:-

1. Oak Parkland (informal open space)
2. Landscaped Pathways & Streets
3. Secure Landscaped Gardens
4. Landscaped Green (pocket park)
5. Incidental Open Spaces
6. Sports Field

29. **Arboricultural Impact Assessment** – Overall, the Arboricultural report prepared by RSK Environment concludes that: “It is clear that some

Arboricultural features will need to be removed to facilitate development and the tree stock should be carefully considered during the design stage so unnecessary removals or impacts are avoided. Arboricultural input from an early stage and throughout the design phases will help avoid late design changes and delays.”

30. A detailed consideration of the impact of development upon the trees will be produced at Reserved Matters stage to ensure those specimens of highest value can be retained. Subsequently, an Arboricultural Method Statement will be produced to inform how construction should be undertaken to avoid harm to the trees to be retained.

Across the Site, there are a total of 131 trees, of which 67 are either Category ‘A’ or ‘B’. In most instances the illustrative layout allows for these high grade trees to be retained. Those trees which may ultimately need to be lost are low grade trees located within the existing school grounds and further details about the detail of any trees that may need to be removed will be dealt with at reserved matters stage. The one instance where a protected tree might be at risk to the provision of the two grass sports pitches will be the one labelled T18 on the Oak Field. This is an English Oak, mature tree, and if this interesting tree cannot be accommodated around the sports pitch then 2 replacement semi mature trees of appropriate species will be planted very close to its current location.

## **Planning History**

Below is the most recent and relevant planning history

13/01112/AS - Planning renewal for temporary building. Ray Allen Centre, Stanhope Road Approved 14/11/14

On land adjoining

17/00236/AS – Consultation from Kent County Council for the construction of a new 2 FE two-storey primary school with nursery facility within the existing John Wallis Church of England academy school site with associated soft and hard landscaping and access to form a 3 - 19 through school. Raise no objections 08/06/17.

## **Consultations**

### **Ward Members:**

No comments received. The Ward Member is a Member of the Planning Committee.



**Parish Council:**

***First consultation response***

Stanhope Parish Council object on the following grounds;.

- Concerned that the existing car parking provision for over 100 cars for the ball courts will be removed. These ball courts are used by various organisations whose clients use these car parks.
- At least once a week the existing car park is not big enough resulting in cars parking along Stanhope Road and in the existing Ray Allen Car Park (which is to also go).
- The existing car parks should not be lost. The alternative of being able to use the school car park is not a workable or viable option due to security and location.
- Parish Council are extremely concerned about the loss of the green space being called 'Oak Field'. This is a popular area for recreation for those living in and around Stanhope.
- Parish Council are also concerned about the proposed development on the existing infrastructure, for example the existing doctor's surgery (St Stephen's Walk Medical Centre) is full and not taking any more clients.
- The junction leading off Stanhope Road onto Kingsnorth can be extremely busy and members are worried that there seems to have been no junction assessment undertaken to assess the impact of the proposed development on the local highway network.

***Second consultation response***

No comments received

**Kent County Council Highways and Transportation:**

***First consultation response***

**Holding Objection**

- (1) **Proposed Highway Works** – Far Western parking bay is likely to impede on pedestrian visibility splays and will need to be removed. An existing mobile phone mast located to the West of the existing Courtside entrance will need to be relocated, but the highway works plan contains no details regarding relocation. The existing street light in the footway to the west of access 4 needs to be re-located so it is not in the footway. New dropped kerbs and tactile paving are required for both accessed 4 & 5.
- (2) **Transport Assessment** – Stage 1 Road Safety Audit is required for the proposed access points onto Stanhope Road. Need for a mechanism ensuring the primary school/Academy's car park can be used outside of school times, and implementation of a pedestrian link between the car park and Courtside and Pitchside.
- (3) **Servicing** – Need vehicle tracking for access 3 to demonstrate than an 11.4 metre long refuse vehicle can turn right out of the proposed site

avoiding a collision with the existing central island crossing. Also need vehicle tracking for access 5 to ensure a 11.4 metre long refuse vehicle can turn in and out of the site access.

**(4 & 5) Trip Generation, Distribution and Assignment** – In agreement.

**(6) Traffic Impact** – Need for junction assessments to assess the impact of the proposed development on the local highway network at the following junctions on a 2019 and 2024 future year scenario:- **AM Peak:** Kingsnorth Road/Tennyson Road mini roundabout junction; Wotton Road/Malcom Sargent Road roundabout junction. **PM Peak:** Stanhope Road mini roundabout junction; Kingsnorth Road/Stanhope Road mini roundabout junction; Kingsnorth Road/Tennyson Road mini roundabout junction; Wotton Road/Malcom Sargent Road roundabout junction.

### ***Second consultation response***

**No objections** to the application subject to conditions attached to grant of planning permission. Make the following comments on the application:

#### **Transport Technical Note** -

- It is agreed that it is not necessary to re-locate the existing mobile phone mast on Stanhope Road as this is set back 1.7 metres from the edge of the carriageway. The highway works plan has been amended to include dropped kerbs and tactile paving on accesses 4 and 5.
- As outlined in my planning consultation response dated 3rd December 2019, the
- Replacement car parking to serve the Stanhope Sports Centre and Courtside needs to be secured prior to the commencement of development on site. Subsequent discussions with both Ashford Borough Council and the applicant have taken place since this consultation response and it is agreed that this replacement car parking can be secured through a suitably worded Grampian planning condition rather than being secured through a Section 106 Legal Agreement. Details of this suggested condition are set out in a suggested list of planning conditions. The formal illuminated footpath linking John Wallis at the Sports Centre and Courtside will need to be secured through an appropriately worded planning condition.
- Vehicle tracking has now been provided to demonstrate that an 11.4 metre long refuse vehicle can access the site via access 5.
- Updated traffic flow analysis has now been presented for a 2024 future year scenario for all of the junctions included within the study area. This demonstrates that growth in the flows from 2023 to 2024 would result in a minimal increase in movements, with the maximum increase being 24 vehicle movements at the Stanhope Road / Kingsnorth Road mini-roundabout and the Kingsnorth Road / Tennyson Road mini-roundabout. KCC Highways and Transportation therefore agree that it is not necessary to remodel the junctions using a 2024 future year scenario.
- A mitigation scheme is now proposed for the Kingsnorth Road / Tennyson Road Mini-roundabout in the form of double yellow lines on Tennyson

Road to address future capacity concerns on this arm of the roundabout as set out in the above plan. The presence of parked cars here results in vehicles slowing to pass the parked cars. The parked cars result in a narrowing on Tennyson Road which subsequently results in some queuing in the PM peak as drivers are returning home after their working day. The double yellow lines will directly address this issue and will need to be secured through a suitably worded Grampian planning condition. Details of this suggested condition are set out in a suggested list of planning conditions.

- Double yellow lines are now proposed are now proposed to the east of access 3 as set out in the above highway works plan. The provision of these double yellow lines will again need to be secured through a suitably worded Grampian planning condition.

#### Amended plans

- There has subsequently been an increase in unit numbers associated with the extra care facility which has resulted in an increase in 29 extra care units and a reduction in 5 residential dwellings. The current proposals are for a total of 65 extra care units, 99 houses and 106 flats. The trip generation assessment has subsequently demonstrated that the new scheme proposals will result in a reduction of five vehicle trips in the AM peak and five vehicles trips in the PM peak. This is acceptable to KCC Highways and Transportation. The housing mix will need to be secured through the proposed Section 106 Agreement for the site.
- The applicant has confirmed that the proposed parking bays on Stanhope Road are indicative only and these will be reviewed at the reserved matters stage. A planning condition is therefore required to say that development shall not be commenced until details of the parking on Stanhope Road have been submitted to and agreed in writing by the Local Planning Authority. The application description will also need amending to only include the 3 points of access as currently set out in the Parameter Plan (RG-A-14 Revision A). No other access points will currently be approved by Kent County Council in its position as Local Highway Authority. The emergency access previously proposed onto Stanhope Road is no longer part of the current proposals.

[SSDM Note- The application description has been amended to include only the 3 points of access]

#### **KCC Ecological Advice Service-**

##### ***First consultation response***

States that further information is required prior to determination of the planning application, specifically: A site-wide mitigation strategy regarding the potential mitigation for protected species; bat surveys; reptiles surveys; ecological enhancement; a breeding bird informative; and assessment of the site for the potential presence of Great Crested Newts. They also recommend

appropriate ecological enhancements in line with paragraph 175 of the NPPF 2019.

***Second consultation response***

Bat, reptile and Great Crested Newt surveys have now been undertaken, sufficient information has now been provided. Satisfied with the report's conclusion that Great Crested Newts are unlikely to be present and that no mitigation measures are required for this species. Request conditions in relation to: a lighting design plan for biodiversity; fence gaps for hedgehog movement; and a Landscape and Ecological Management Plan (LEMP). Suggest an informative in relation to protection of birds' nests during bird breeding season.

**KCC Heritage –**

***First consultation response***

The site of the application lies in an area of high potential associated with Iron Age and Romano British activity. The important sites of Brisley Farm Iron Age funerary site to the south west and Westhawk Farm Roman small town are within the vicinity and associated remains could survive in this site. Formal investigations (eg The Limes) along the line of the Roman road heading north out of Westhawk Farm up Beaver Road have located Iron Age activity, including cremations. Formal investigations within the general school complexes here have tended to also locate Bronze Age and early Iron Age activity.

I note the application is supported by an Archaeological DBA by RSK which does highlight some of the key archaeological issues. It is not clear if RSK formally consulted the HER for this report and it seems that they have not included some of the most up to date information. Their archaeological assessment is exceedingly brief.

The site has areas which are likely to have been disturbed by previous development. In addition, although there is an indicative layout, the application is an outline one with some options for flexibility with the layout. As such I consider archaeological issues can be addressed by condition. Request a condition in relation to archaeological field evaluation work and safeguarding.

***Second consultation response***

*No additional comments*

**KCC Flood and Water Management –**

***First consultation response***

No objections to the Flood Risk Assessment (December 2018) in principle at the outline planning stage. Wish to see focus on incorporation of SUDs features at the reserved matters stage.

***Second consultation response***

Have reviewed the additional information and updated illustrative layout and have no objections to make. Reiterate previous comments raised which should be included at the Reserved Matters stage, primarily the requirement of incorporating SuDS features.

**KCC Economic Development**

***First consultation response***

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

*Follow up statement* - The County Council will be continuing to seek S106 contributions from this development site.

Whilst the extra care units will not be subject to youth and education contributions, the expectation is that residents of this facility remain independent and therefore, able to partake in the services offered by the local library, social services and community learning.

All other units (with the exception of 1 bed flats below 56 sqm GIA) will be expected to contribute towards education and community services. The forward funding of the John Wallis Academy does not negate the need for education contributions as no additional capacity was created by the rebuild. Neither does the new provision of the Ray Allen Children's Centre mean that Early Help/Youth and Community Learning contributions are not required. The Ray Allen Centre will not deliver either of these services and therefore, will not increase the capacity of these services to meet the needs of the new residents.

With regard to the library service, I have sought contributions for additional book stock to meet the needs of the new population.

***Second consultation response***

The following summary takes into account the indicative housing mix provided by you on 14th January 2020. Total contributions are indicative only. As the application is outline, the county council requests that the Section 106 Agreement uses a 'per dwelling' contribution rate to calculate the contributions once reserved matters applications have been agreed. I hope that this clarifies KCC's Education and Community Services S106 request.



Ashford Borough Council - Report of the Head of Planning and Development  
 Planning Committee – 10<sup>th</sup> February 2020

AS/18/01861 Land at Playing Field and Linden Grove Primary School, Stanhope Road, Stanhope TN23 5RS	Per Applicable House (106)	Per Applicable Flat (99)	Estimated based upon indicative dwelling mix provided – January 2020	Project
Primary Education	£4,535.00 per house	£1,134 per flat	£592,976.00	Contribution towards Phase 2 of Finberry Primary School
Secondary Education	£4,687.00 per house	£1,172.00 per flat	£612,850.00	Phase 2 Additional 2FE provision at the new Chilmington Green Secondary School
<b>'Applicable' excludes 1 bed units of less than 56 sqm GIA.</b>				
	Per Dwelling 205 & 65 extra care units	Total	Project	
Community Learning	£34.45	£9,301.50	Additional portable IT and Equipment to enable the re-configuration and greater use of rooms at the Ashford Adult Education Centre	
Libraries (65 Extra care units)	£48.02	£12,965.40	Bookstock for Stanhope Library	
Youth Service (65 Extra Care Units are not applicable)	£27.91	£5,721.55	Equipment for Ashford North Youth Centre	
Adult Social Care	£47.06	£12,852.00	Changing Place Facility in the vicinity	
	3 Wheelchair Adaptable Homes as part of the on-site affordable homes delivery			
<b>High Speed Fibre Optic Broadband connection:</b>	<p><b>Condition:</b> Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p><b>Reason:</b> To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.</p>			
<b>Highways</b>	<b>Kent Highway Services will respond separately</b>			

## ABC Culture

### *First Consultation Response*

The table below identifies on and off site public open space contributions:

	<b>Total capital contribution for on-site provision</b>	<b>Total capital contribution for off-site provision</b>	<b>Total commuted maintenance sum for the development</b>	<b>Ha contribution required on-site</b>
Sport - outdoors		294,097.42	60,337.17	
Informal/natural	67,000.17		60,152.08	0.89 ha
Play		120,119.08	122,710.25	
Allotments		47,751.50	12,215.50	
Strategic Parks		27,022.17	8,698.92	
Cemeteries		52,563.67	32,574.67	
<b>Totals</b>	<b>167,130.25</b>	<b>541,553.83</b>	<b>296,688.58</b>	

Contributions are also required for:

Art: £62,632.20

Voluntary Sector: £16,102.25

Regarding the current layout (Illustrational Layout RG-A-04).

- The sports field at 3 is not applicable as outdoor sport as it does not provide the necessary changing facilities; without changing facilities the site cannot be used for genuine outdoor sport purposes. We would not be averse to this site being put forward as informal public open space, but as currently shown it is too isolated. We would welcome dwellings overlooking the open space, and as such would consider dwellings back-to-back with Kingsnorth Road, if sensitively designed and properly integrated.
- The attenuation pond currently indicated at '3' will not count towards public open space provision. The approach to providing SUDS must be in accordance with the borough council SPD for Sustainable Drainage, and provide an attractive landscape feature as part of the local green infrastructure.
- The outdoor sport contribution will be provided off-site, as a contribution towards the re-surfacing of the existing 3G facility.
- The existing changing rooms have not been moved. It is not clear exactly how they have been integrated, but they appear to have a boundary precluding access from the proposed development. This will create an unattractive setting for the development, and how is the building to be accessed by vehicles?
- We require a replacement MUGA for community use, in lieu of the loss of two existing MUGAs. The replacement will not count towards the

necessary public open space provision, but is solely to replace the loss of existing provision.

- As previously commented, public open space on site must be a minimum of 0.25 ha and integrated within the development. It must be well overlooked by front of properties, and delivered as part of the development at not at a later stage. There are several tree protections orders on and off site, and proposed development must allow for future growth and prevent potential management issues. The development proposal is yet again indicating public open space which are too small and poorly laid out.

In terms of projects, the Parish Council will need to comment on where off-site contributions could be allocated.

### ***Second consultation response***

Here are updated contributions, based on 99 houses and 106 flats:

	<b>Capital contribution for on-site provision</b>	<b>Capital contribution for off-site provision</b>	<b>Commuted maintenance sum for the development</b>
Sport - outdoors		280,127.46	57,471.08
Informal/natural	18,769.70	54,006.96	40,443.00
Play		114,413.29	116,881.38
Allotments		45,483.25	11,635.25
Strategic Parks		25,738.58	8,285.71
Cemeteries		50,066.83	31,027.33
Public art	£59,657.10		
Voluntary sector	£15,337.38		

The development requires 0.85 ha of informal open space; the development appears to provide maximum of only 0.25ha so therefore a proportionate amount will be required off site, as calculated above.

### ***Further comment***

- The outdoor sport contribution will be provided off-site, as a contribution towards the re-surfacing of the existing 3G facility
- Informal/natural: investment in public open space within 1km of the development
- Play: investment in public open space within 1km of the development

- Allotments: investment in an allotment site within 1km of the development, including private, public and community sites
- Strategic Parks: investment at Conningbrook Lakes Country Park
- We are not requesting cemeteries contribution at the moment, please delete
- Public Art: investment towards an artist(s) embedded within the design team of the Ray Allen centre
- Voluntary Sector: investment in voluntary projects within 1km of the site

### **ABC Environmental Services:**

#### ***First consultation response***

Requested adequate measures were implemented to minimise the proliferation of dust, noise pollution, pollution of groundwater and surface water, implementation of arrangements for public consultation and liaison during the construction works.

#### ***Second consultation response***

In light of the revised layout earlier comments remain pertinent. The applicant will now also need to demonstrate that noise from the proposed MUGA and football pitches will not have a detrimental effect on surrounding residents, by way of including this in the previously requested noise assessment, as well as ensuring any lighting scheme for the same will similarly not cause detriment.

### **ABC Street Scene and Open Spaces –**

#### ***First consultation response***

- (1) Full swept path analysis for a refuse vehicle needed showing access, turning and exit.
- (2) Final design must allow for kerbside placement of domestic bins with a maximum pull out for each dwelling of 25m.
- (3) Ensure adequate provision of bins and bin storage for the flat blocks.
- (4) If development is to be implemented in stages, arrangements must be made to ensure waste collection services are in place from the time of occupation of each stage.
- (5) Provision of storage of bins with 1100sqm capacity should be designed into the plan at an early stage to avoid unsatisfactory appearance & collection inefficiencies.

#### ***Second consultation response***

Response to previous consultation remain valid. Points of indemnity, full swept path analysis, etc. still needs to be agreed.

### **ABC Housing Services –**

#### ***First consultation response***

We note that this application has come forward with a lack of affordable housing given the context of the wider area, where the Stanhope development has a much larger percentage of affordable homes.

We understand this rationale, while ideally wanting as much affordable housing to come forward as possible. However, an opportunity may well exist to provide a larger number of care-ready units in the proposed 'extra care' facility, which would help to redress the tenure mix within the site. With 178 units of 'extra care' accommodation in the borough already, and a further 150 units having been granted planning permission, we would suggest that any proposals are for care ready/independent living accommodation on the site, which provide the opportunity for residents to buy in care as and when they require it, without the additional care charge applied irrespective of current need.

It may also be sensible for any new care ready facility to be located nearer to Ashford Borough Council's sheltered housing scheme at Farrow Court, enabling residents to make use of the communal facilities such as the hairdressers and the Age UK day care centre with meals provided.

In line with Policy HOU14 of the emerging local plan, 20% of all dwellings should be M4(2) standard, i.e. accessible and adaptable.

#### ***Second consultation response***

We are happy that the amended drawings of 2nd December show the facility has been moved to sit nearer to Ashford Borough Council's sheltered housing scheme at Farrow Court, enabling residents to make use of the communal facilities such as the hairdressers and the Age UK day care centre with meals provided.

We are also pleased to see this come forward as Extra Care, given the wider context of the area sees a lot of council-owned and council-built independent living accommodation coming forward - so a facility with the additional care on top of it will complement other provision in the area.

In line with Policy HOU14 of the local plan, 20% of all dwellings should be M4(2) standard, i.e. accessible and adaptable.

#### **Additional comments**

this site lies in the town centre area as identified and defined in Policy HOU1 in the borough council's emerging local plan.

Therefore, the policy compliant position would ordinarily see an expectation of 20% affordable housing being delivered within the houses in this scheme – but with no requirement for any affordable housing within the flatted development. Consistent with the policy, no affordable or social rented units are required but 20% of the total dwellings should be made available for affordable home ownership (of which 10% of the total dwellings should be shared ownership).

With 205 dwellings on the site, of which 106 are proposed to be flats, this leaves 99 to houses – which would see the required amount of affordable

housing being 20 units. These would be split at 10 homes for shared ownership and 10 homes for shared ownership or another affordable home ownership product.

However, we note that this application has come forward with a lack of affordable housing given the context of the wider area, where the Stanhope development has a much larger percentage of affordable homes.

We understand this rationale, while ideally wanting as much affordable housing to come forward as possible. However, an opportunity may well exist to provide a larger number of care-ready units in the proposed 'extra care' facility, which would help to redress the tenure mix within the site. With 178 units of 'extra care' accommodation in the borough already, and a further 150 units having been granted planning permission, we would suggest that any proposals are for care ready/independent living accommodation on the site, which provide the opportunity for residents to buy in care as and when they require it, without the additional care charge applied irrespective of current need.

In line with Policy HOU14 of the emerging local plan, 20% of all dwellings should be M4(2) standard, i.e. accessible and adaptable.

#### **Kent Fire & Rescue Services –**

##### ***First consultation response***

Means of access is considered satisfactory.

##### ***Second consultation response***

No response received.

#### **Kent Police –**

##### ***First consultation response***

Stated the following issues needing to be addressed:

- (1) Development layout must avoid compromising the security of the development with excessive permeability;
- (2) Green spaces, play areas, safety of users and access with mitigation for misuse;
- (3) Cycle and pedestrian routes need to be secure and kept clear of obstruction;
- (4) Perimeter, boundary and divisional treatments for the development and existing dwellings;
- (5) Parking, including visitor and sports attendance, to avoid parking conflict;
- (6) Lighting and CCTV;
- (7) Access Control to meet SBD accreditation standards;
- (8) Doorsets and windows to meet SBD accreditation standards;
- (9) Apartment security and defensible space for ground floor windows, especially bedrooms and dual certification communal doorsets;
- (10) Mail delivery, cycle and bin store security;

- (11) Alarms and compartmentation depending on number of units in each apartment block;
- (12) Proximity of school and sports fields to protect the security of pupils, staff and visitors;
- (13) Extra care housing required defensible space to protect the security and privacy of the potential residents, visitors and staff;
- (14) The overall security of the proposed development to minimise the opportunity for crime, fear of crime, ASB, nuisance and conflict.

### ***Second consultation response***

State that the previous comments remain valid and flag additional points, mainly around the viable use of accessing the sports facilities and the new Ray Allen Children's Centre as follows:

- (1) Secured by Design (SBD) for the development should be attained as there will be many uses in this area that must work together to reduce the opportunity for crime and disorder.
- (2) A lighting plan must be approved by a Member of the ILP or the Society of Light and Lighting. This is to ensure that the proposed route for the users of the Courtside and Pitch side are able to use the facilities and the parking safely and securely. While bollard lighting and/or a torch can help enable wayfinding, it can also highlight people that could be vulnerable to crime. The lighting should not be subject to manual control that could affect the safety of users when it is dark.
- (3) The existing footpath must be wide, ideally 3m min, must avoid pinch points, places of concealment and unnecessary maintenance (shrubs and trees in proximity).
- (4) Where space permits, routes of this nature, where people might reasonably be expected to carry large sports bags should be at least 3 metres wide (to allow people to pass without infringing personal space and to accommodate passing wheelchairs, cycles and mobility vehicles). The path must be subject to maximum natural surveillance but sited so that local residents will not suffer from possible noise pollution. In addition, they should be sited in such a way that those using the path will not be subject to harassment or otherwise be put in fear. The proposed pedestrian link is included in these comments.
- (5) Trees and shrubs must not affect the lighting, parking, access or the pathway.
- (6) Parking is a frequent cause of conflict, therefore layout is critical and we strongly advise that we meet the applicants/agents to discuss layout. It is unclear from the plans to date, how the proposed parking at the school will be managed, how many spaces provided for use and for whom, when they will be available and exactly where they will be placed, secured and lit.
- (7) The Sure Start, Ray Allen's Children's Centre should also be required to attain an SBD award in its own right to ensure that those using it are protected.

If the points above and those in the earlier response are not addressed, they can affect the development, the surroundings and have a knock on effect for local policing. Therefore, if this application is to be approved Kent Police request that a condition be included to address these concerns.

## **NHS Ashford Clinical Commissioning Group (CCG)**

### ***First consultation response***

NHS Ashford Clinical Commissioning Group (CCG) has delegated co-commissioning responsibility for general practice services in Ashford and is the body that reviews planning applications to assess the direct impact on general practice.

I refer to the above outline planning application which concerns the proposed development comprising of 246 dwellings.

The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution.

In line with the Planning Act 2008 requests for development contributions must comply with the three specific legal tests:

1. Necessary to make the development acceptable
2. Be directly related to the development
3. Be fair and reasonably related in scale and kind to the development

We have applied these tests in relation to this planning application and can confirm the following specific requirements. The calculations supporting this requirement are set out in below.

	Total Chargeable units	Total	Project
General Practice	495	£159,900	Towards extension and reconfiguration of the Ashford Stour Primary Care Network Practices.

The obligation should also include the provision for the re-imburement of any legal costs in incurred in completing the agreement.

### **Justification for infrastructure development contributions request**

This proposal will generate approximately 435 new patient registrations when using an average occupancy of 2.34 people per dwellings, and an additional 60 registrations from the proposed extra care housing units. This generates a total of 495 patient registrations. The proposed development falls within the current practice boundary of Kingsnorth Medical Practice, Hollington Surgery, Sydenham House Medical Centre, and Ashford Medical Partnership. The residential dwellings patient registration numbers will exceed the current



capacity available across any of the practices in the locality and this will be further impacted by the needs of the extra care housing as these patients require in house care and this require additional workforce to be recruited.

There is currently limited capacity within existing general practice premises to accommodate growth in this area. The need from this development, along with other new developments, will therefore need to be met through the creation of additional capacity in general practice premises; this is highlighted in the CCG GP Estates Strategy. General practice premises plans are kept under regular review as part of the GP Estates Strategy and priorities are subject to change as the CCG must ensure appropriate general medical service capacity is available as part of our commissioning responsibilities.

The 4 medical practices the development impacts on are working in collaboration as Ashford Stour Primary Care Network (PCN) and are developing new ways of working and expansion and reconfiguration plans which will require a financial contribution to create the capacity the new patients will generate.

Planning for growth in general practice is complex; physical infrastructure is one element but alongside this workforce is a critical consideration both in terms of new workforce requirements and retirements. Any plans developed need to support delivery of sustainable services for the future. It is likely that the restrictive occupancy nature of this development will have a higher impact than normal on the workforce as residents are more likely to have multiple or complex health needs.

The population growth of 495 will require 41 m<sup>2</sup> based on NHS standard of 12 patients per square metre. At current build costs of £3,000 psm this equates to £123,000. A further 30% allowance for development fees means our request totals £159,900.

In addition to the above we request that any agreement regarding a financial contribution:

- Allows the contribution to be used towards new general practice premises in the area serving this population (should GP Estates Strategy identify future requirement) and not just limited to the practice detailed above.
- Allows the contribution to be used towards professional fees associated with feasibility or development work for existing or new premises.
- Supports the proactive development of premises capacity with the trigger of any healthcare contribution being available linked to commencement or at an early stage of development.

The CCG is of the view that the above complies with the planning regulations and is necessary in order to mitigate the impacts of the proposal on the provision of general practice services. In accordance with regulations the CCG confirms that there would not be more than four other obligations towards the final project(s).

### ***Second consultation response***

Please note the amended comments below in reference to the change advised on the application.

- 1) The housing mix will still generate the same base difficulties for workforce as referenced in our original comments.
- 2) The financial figure will not change as with rounding the extra beds and the drop in units still equates to the same requested amount.
- 3) As the location is not changing then the same practices would be the ones affected and required to find capacity for the additional patients as they cover that area.

### **UK Power Networks**

#### ***First consultation response***

Safety around our equipment is our number one priority so please ensure you have completed all workplace risk assessments before you begin any works. Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

Various suggested safety information was provided

ESP Utilities Group Ltd confirmed it has no gas or electric apparatus in the vicinity of this site address and will not be affected by your proposed works.

#### ***Second consultation response***

No comments received.

### **Environment Agency**

#### ***First consultation response***

No comments received.

#### ***Second consultation response***

No comments received.

### **River Stour IDB –**

#### ***First consultation response***

The site of the development proposal drains, in part, to Court Lodge Dyke which is maintained by the Stour IDB. I am pleased to note that the proposals include for runoff to be substantially reduced, to bring them in line with ABC's policy. Provided this remains the case, with details of the final SuDS agreed with KCC's SuDS Team, this development is unlikely to affect IDB interests.

#### ***Second consultation response***

No response received.

### **Southern Water –**

#### ***First consultation response***

Request conditions are attached to a grant of planning permission

***Second consultation response***

The proposed Ray Allen Children's Centre will lie over an existing public foul rising main. Southern Water objects to the proposed development layout. If planning permission were to be granted, Southern Water (as the statutory sewerage undertaker) would request that the Council (as the Building Control Authority) refuse Building Regulations approval on the grounds that building over the public foul rising main cannot be permitted. In order to progress the proposed development on the site, the layout should be amended to achieve the required standoff distances. Southern Water requests that this application is not determined until such time as the applicant produces a suitable layout.

[SSDM; As the layout is outline at this stage, the question of siting of the new Ray Allen Children's Centre can be dealt with at the reserved matters application stage]

It might be possible to divert the surface water sewer (375mm), so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Request a grant of planning permission includes conditions in relation to: measures to divert/protect public sewers; phased occupation of the development; surface water runoff; foul and surface water sewerage disposal.

**Sport England –**

***First consultation response***

The proposal is adjacent to a number of playing fields and sports facilities including netball and tennis. It involves the loss of a car park which would appear to be currently serving these playing fields and sports facilities. Some parking would appear to be being reprovided though it is unclear whether this is adequate.

There are significant concerns, particularly from the Football Foundation on behalf of the FA, that the level of parking reprovion may not be adequate and this could therefore prejudice the use of the playing fields and other sport facilities. In order not to object to the application, Sport England requires confirmation that the same amount of parking is proposed to an equally accessible level as existing.

Sport England **objects** to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF.

***Second consultation response***

Generally supportive of the proposals to replace the playing field that would be lost at the former school site with new playing field at Oakfield. In quantitative terms the area of replacement is equitable to what is being lost and the applicant has provided an illustrative plan to demonstrate that it would

be capable of accommodating two 7v7 mini football pitches as previously, so I'm comfortable with this in quantitative terms.

Given the close proximity to the existing playing field, I consider this is a suitable location for replacement provision. What remains to be addressed to meet with Exception E4 of Sport England's Playing Field Policy and para 97b) of the NPPF is to ensure that the replacement playing field is equitable in quality and subject to equivalent or better accessibility and management arrangements.

The quality of the playing field (and its subsequent maintenance) can be addressed by securing further details of the design and specification of the replacement playing field by planning condition.

Request the following conditions are imposed to agree these details:

- A detailed assessment of ground conditions of the land proposed for the playing field, a scheme to address constraints which could adversely affect the playing field and a programme of implementation.
- A playing field maintenance schedule.
- Details of design and layout of playing pitches and MUGA.
- A management and community use agreement in relation to the replacement grass pitches.
- Implementation of the replacement playing field, changing rooms and replacement car parking (prior to loss of existing playing field).

#### **Ashford Netball Senior club**

##### ***First consultation response***

Raise concern over lack of new car parking provision for the sports facilities. Notes that 31 parking spaces are indicated on plans by the Indoor Sports Hall, however these are outside of the red line. Would like clarification on parking provision and that it is in place before work begins on the existing parking area.

##### ***Second consultation response***

The parking strategy document appears to propose suitable parking for the Courtyard facility. Would like to make it clear that none of this parking is there at the present time and so the parking around the sports hall and on Stanhope Road needs to be provided PRIOR to commencement of building work on the facility's current car park. This will be required to avoid impact on the smooth running of the league and potential costs incurred for hire of the facility without being able to use it.

#### **Neighbours:**

##### ***First consultation response***

335 neighbours were consulted, site notices posted and the development advertised in the local paper. 47 responses were received with 43 objections

and 2 general comments to the plans. The objections raised numerous concerns which are summarised below:

- the loss of parking at the Courtside and Pitchside sports venues,
- the loss of public amenity/green space,
- the lack of affordable housing and the cumulative pressure on local services and the road network arising from development.
- inadequate public infrastructure: schools, GP, shops, train services,
- increase traffic congestion
- accessibility for emergency vehicles
- displacement of on-street car parking
- risk to highway safety from access and to pedestrians
- no need for sports pitches
- harm to the character of the area
- harm to biodiversity due to proximity nature reserve
- cumulative impact of development
- no need for care home facility
- Lack of affordable housing means its not meeting local housing needs
- Excessive density of development
- Flood risk
- Height of buildings
- Increase in air pollution vis-à-vis increased density of the built up area
- Lack of employment in the local area

### ***Second consultation response***

335 neighbours were consulted on the amendments to the application. Site notices were posted and the development proposal and amendments were advertised in the local paper. The closing date for comments was 2<sup>nd</sup> January 2020.

3 representations were received both objecting to the amended proposals and raising the following concerns:

- The fields that are frequented by dog walkers should be left alone, it's nice for the neighbourhood to be able to go and play on some green land.
- The area cannot cope with the additional traffic that this project will produce as the residents on Speldhurst Close already have problems with parking without this adding to the issue.
- There is no work in Ashford for the people that live here now, what about the ones that are going to live in the new houses where are going to work , and no work in Ashford for the ones that live here now,
- There are not any Doctors or schools, Hospital for more people on Stanhope , and no Police to stop any trouble on the Estate,
- bring more work into Ashford before you think about more houses ,
- bring ASHFORD into the present not the past..
- development is inappropriate, over-crowded and will result in considerable road traffic problems
- will lose a very valuable green corridor.

- It will detract from, rather than enhance this part of Ashford as a good area in which to live.
- Over-development: Extra housing proposals for Oakfield will increasing the density of this built-up area. Fitting Oakfield two seven by seven sports pitches, a MUGA and the re-sited Ray Allen Centre will be cramped.
- Parking - It is suggested cars could park in the surrounding areas. Does this mean Stanhope Road ? This is a bus route and a regular cut through for traffic. Cars parked on the road already cause difficulties.
- Ray Allen centre, will have inadequate parking provision
- Oakfield much loved as an open space and forming an important part of the current green corridor.
- Ray Allen centre could remain on its existing site, or carpark area or reverse the use of the two areas. This would leave the footage along Stanhope Road more or less unchanged.
- The proposed two seven by seven pitches and the MUGA are a ridiculous over-provision. To the rear of the Oakfield site lie extensive sports fields which are presumably unused during the school holidays and at weekends. Why cannot these facilities be made available for the use of the local community ?
- Lack of truly affordable housing nor for the needs of the increasing number of the elderly now wishing to down-size or who find themselves living alone but who do not need the extra care facility.
- The planners have totally ignored all current population projections and thought only of the maximum number of conventional dwellings which could be squeezed into the available area. This outlook is sheer folly. A different proposal for development of the old primary school site with a good variety of differently-sized and reasonably priced housing, together with the new extra care housing in its new position and the Ray Allen centre re-built more or less where it already is, would be broadly welcomed.
- One element of support was noted regarding re-siting the extra care facility at the east end of the sports field which was felt to be a good use of a space which, in the original plans, would have ended up as a little-used and neglected area.

### ***Third consultation response***

The application was readvertised as a departure from the local plan on 30th January 2020 . The closing date for comments is 20<sup>th</sup> February 2020. Any comments received prior to the Committee meeting will be reported at the meeting.

## **Planning Policy**

31. The Development Plan comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017) and the Kent Minerals and Waste Local Plan (2016).

32. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).

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

SP1 - Strategic Objectives

SP2 - The Strategic Approach to Housing Delivery

SP6 - Promoting High Quality Design

HOU1 – Affordable Housing

HOU3a - Residential Windfall Development Within Settlements

HOU6 – Self & Custom Built Development

HOU12 - Residential space standards internal

HOU14 - Accessibility standards

HOU15 - Private external open space

HOU18 - Providing a range and mix of dwelling types and sizes

EMP6 – Promotion of Fibre to the Premises (FTTP)

TRA3a - Parking Standards for Residential Development

TRA5 - Planning for Pedestrians

TRA6 - Provision for Cycling

TRA7 - The Road Network and Development

ENV1 - Biodiversity

ENV3a - Landscape Character and Design

ENV4 - Light pollution and promoting dark skies

ENV5 - Protecting important rural features

ENV6 – Flood Risk

ENV7 – Water Efficiency

ENV8 - Water Quality, Supply and Treatment

ENV9 - Sustainable Drainage

ENV10 –Renewable and Low Carbon Energy

ENV12 – Air Quality

ENV15 – Archaeology

COM1 - Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Spaces

IMP1 – Infrastructure Provision

IMP2 – Flexibility, Viability and Deferred Contributions

IMP4 - Governance of Public Community Space and Facilities

34. The following are also material considerations to the determination of this application.

**Supplementary Planning Guidance/Documents**

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Residential Space and Layout SPD 2011

Sustainable Design and Construction SPD April 2012

Public Green Spaces and Water Environment SPD 2012

Dark Skies SPD 2014

Affordable Housing SPD 2009

**Other Guidance**

Informal Design Guidance Note 1 (2014): Residential layouts & wheeled bins

Informal Design Guidance Note 2 (2014): Screening containers at home



Informal Design Guidance Note 3 (2014): Moving wheeled-bins through covered parking facilities to the collection point

### **Government Advice**

#### National Planning Policy Framework (NPPF) 2019

35. 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).
36. The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.
37. At the heart of the Framework is a presumption in favour of sustainable development which is summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
38. The three overarching objectives to achieve sustainable development are detailed as:
  - a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
39. Section 8 paragraphs 91-101 of the NPPF states that planning policies and decisions should help create the conditions to achieve to achieve healthy, inclusive and safe places and to provide the social, recreational and cultural

facilities and services that the community needs. This section also aims to promote access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.

40. Para 91 indicates that planning decisions should enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, and layouts that promote walking and cycling.
41. Para 92 highlights the importance of guarding against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
42. Paragraph 93 states planning decisions should consider the social, economic and environmental benefits of estate regeneration. It also states that local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.
43. Paragraph 96 states the importance of providing access to a network of high quality open spaces and opportunities for sport and physical activity on the grounds that it is important for the health and well-being of communities. It highlights how the need for open space, sport and recreation facilities is important to new and existing communities.

## **Assessment**

44. The main issues for consideration are:
  - (a) The principle of the development.
  - (b) The suitability of the indicative layout and the proposed mix of uses, including the relationship to school, sports facilities, green spaces and neighbouring residents.
  - (c) Impact on open space provision and mitigation of the loss of informal green open space.
  - (d) Impact on sports facilities in the vicinity of the site including Pitchside, Courtside and loss of open space
  - (e) Impact of relocation of community and social facilities to a new Ray Allan Centre.
  - (f) Access arrangements
  - (g) Parking facilities for sports facilities and impact on local area and facilities
  - (h) Impact on Residential Amenity
  - (i) Affordable Housing and viability

- (j) Landscaping
- (k) Other issues including Sustainable design and construction, Ecology, SUDs, contamination.
- (l) S106 Contributions

### **Principle of the development**

45. Part of the site to be redeveloped as part of this proposal is a redundant and vacant school site that has served as a primary and secondary school since the 1960's. It is surplus to requirements since the John Wallis Academy adjacent to the site, has grown to become a more suitable modern campus and established educational facility now with a newly constructed nursery and primary school added to the secondary school campus. The large school part of the application site is now a vacant brownfield site with a large number of unused buildings many of which have a poor appearance and some are in poor condition. These unused vacant buildings are at risk of vandalism and if the site remains undeveloped the deterioration of the buildings will increase rapidly and be more likely to lead to the site becoming very untidy. The redevelopment of this part of the site mainly for housing will result in the opportunity to continue the regeneration of the Stanhope estate that began over 13 years ago and I therefore support the principle of this development of this site.
46. KCC has also confirmed that this development is retrospectively helping to fund the new primary school that recently opened on the John Wallis Academy campus close by, thereby significantly improving the local perceptions of the school and its facilities
47. As I have suggested the redevelopment of the site with a range of better facilities and higher quality modern housing will support the regeneration efforts of Ashford Borough Council and its many partners to secure regeneration benefits and aspirations of local people. It will also help take a further step in transforming the perceptions of the place in Ashford.
48. The principle of redeveloping the Oak field to the west was controversial locally, as this was an informal open space that local people wanted to see retained as open green space. Through discussion and design negotiations, the original plan to locate the care home and some housing on part of the field as well as the new Children's Centre was considered to be unacceptable. Amendments have therefore been secured to omit the housing and the extra care home on this part of the site and just retain the Children's Centre here, with the housing and care units relocated to the eastern part of the application site. I consider this to be a much more satisfactory situation that retains the sense of communal open space and would be a great setting for a Children's Centre. It also allows space for some junior grass football pitch facilities to be relocated into this green space. Conditions are proposed to ensure only the layout of the principal uses shown on the amended parameter plan for site 1

and only C2 and C3 uses on site 2 will be able to come forward as part of the reserved matters.

49. The principle of retaining the majority of the former sports field on the former Linden Grove primary school site as public green space is supported. It will have the appearance of a leafy park setting and although it will feature a fairly substantial extra care residential unit it is of a good size and will be an asset to the local community and is important to meeting good placemaking principles.
50. The principle of the housing development on this site is supported by Local Plan policy HOU3a which supports sustainable residential development and infilling of a scale that can be satisfactorily integrated into the existing settlement within the built-up confines of Ashford provided it meets the eight criteria set out in the policy. I will address these eight requirements of policy HOU3a in more detail in the relevant sections of this assessment .
51. For the reason set out above, I strongly support the principle of the development on this site, and I am satisfied the proposals are in accordance with the Strategic policies of local Plan policy SP1. I will recommend a condition to ensure only the proposed principal uses and open spaces shown on the amended parameter plans for sites 1 and 2 can come forward as part of the reserved matters.

### **Layout and mix of uses**

52. Whilst only an outline application, the proposed mix of uses across the site is supported as it proposes housing and green space on the eastern part of the application site with sports and community facilities separate on the western part of the application site. The indicative layout is supported as it avoids the potential for any conflict between the proposed residential properties and replacement sports pitches by separating these uses across the two sites. This will help prevent any concerns from local residents regarding light overspill from floodlights and noise from sports participants. The indicative layout of the proposed development although indicative is supported as it provides parking in the most sensible locations and with uses split appropriately across the two parts of the site. This will help avoid the risk of on street parking issues between residents and visitors to the sports facilities.
53. I consider the proposed numbers of dwellings and resultant indicative density to be acceptable given the existing densities within this part of the Stanhope area.
54. To test and review this I have assessed two adjacent pockets of housing and flats immediately to the north of the application site overlooking Stanhope Road. One group of terraced homes and flats built 10 years ago contains 40 units and has an approximate net density of 75 dwellings per hectare (see image A below).



**Figure 7. Density Area A**

55. The existing adjacent area of predominantly terraced housing built in the 1960's contains 37 units (see image B below) also directly opposite the application site, has a net density of approximately 41 dwellings per hectare.



**Figure 8 -Density Area B**

56. When looking at these two existing Stanhope housing areas combined, the average housing density is approximately 52 dwellings per hectare. When comparing this to the proposals for site 2, the numbers of residential units proposed would have an average density of approximately 50 dwellings per hectare. This estimate includes the main proposed area of open space and excludes the extra care facility part of the site.. The proposed maximum density for site 2 would be of a slightly lower overall density than the average density of nearby existing dwellings on the Stanhope Estate, and I therefore consider this density appropriate and should be supported. The outline proposals demonstrates a balance of open space and appropriately dense development, and I consider that a place with character and identity could be designed at the reserved matters stage.
57. The proposal to in principle include new residential uses located near to the existing John Wallis Academy school boundary is supported. The proposed housing development would potentially adjoin the existing main footpath link serving the north entrance to the school site and would also adjoin the all

weather astroturf sports pitch which is intensively used for school sports during the day and evenings and weekends by local sports teams. However the school footpath and the astroturf pitch is an established use that potential new residents living in this development would be fully aware of. I accept noise from significant numbers of schoolchildren walking to school each weekday and people participating in sports in weekday evenings and at weekends could potentially be disruptive for any new residents living in proposed new homes on this site, but I am satisfied that this relationship between the homes and existing school uses can be addressed in the detailed layout, siting, design and landscaping at the reserved matter stage.

58. The relocation of the extra care housing in principle to the eastern edge of the eastern part of the site is appropriate for a number of reasons. The extra care housing will help positively define and enclose the eastern edge this new park area as well as providing a potentially interesting outlook for the elderly residents. The extra care housing would be conveniently located close to the existing Farrow Court sheltered housing scheme could benefit it by having access to some extra facilities including a dementia friendly Age UK Day Centre which provides health and adult services, regular social activities and meals, to provide community asset for the local elderly population.
59. There was some initial concern with the original outline proposals from residents in Kingsnorth Road who's properties backed directly onto the new green park. They considered their properties would be exposed to the risk of crime by having their rear gardens and boundary fences backing directly onto this new green open space. However the amended outline proposal shows the extra care housing close to this edge of the green space which offers the chance to make the boundary to the rear gardens of the existing Kingsnorth Road properties more secure and help reduce the risk of crime. This is a critical matter for the reserved matters applications to address.
60. The amount of extra care housing has increased from initially 40 bedrooms to now up to 65 bedrooms and is shown indicatively on the eastern edge of the new green open space. I am satisfied that this maximum number of units, on this part of the site would be appropriate. The detail of the layout, form, parking and amenity spaces will be dealt with at a reserved matters stage but given the open space location and distance away from existing properties means a building that combines 2, 3 and 4 storey elements would be acceptable in this location.
61. The replacement Children's Centre is indicatively shown located on the Oak Field within the heart of the community opposite the existing parade of retail units. I fully support the principle of this location close to the school entrance and adjoining the pleasant green open space. The precise location and design will be dealt with in the reserved matters stage.
62. I also support the indicative location of the replacement grass sports pitches on the same Oak Field near to the existing Courtside and Pitchside sports

facilities. In this position I consider the local sports pitches will have better access to first aid, parking, toilets and changing facilities. In this location it offers an opportunity for the John Wallis Academy school to use the pitches if the demand is there. At the reserved matters stage should the central protected oak tree be deemed to intrude onto the space needed for the two replacement grass sports pitches then it will be replaced by at least two high quality semi mature trees of the same species at a point closest to its current location. The outline plan proposal shows the retention of the protected Oak tree and a condition will be recommended to retain the tree to cover the eventuality of its loss.

63. The replacement multi-use games area is shown indicatively located on the Oakfield green space also with its precise siting to be determined at reserved matters stage. This location is also appropriate as it offers the opportunity to link up with the Children's Centre and for a space for children to play informally after school, by being directly on their route back to the main Stanhope estate.
64. Although the full detailed layout of homes, open space, community facilities and sports facilities will be dealt with at a reserved matters stage, the location and mix of uses that has been negotiated across the two distinct parts of the application site are fully supported at this outline stage. A condition is recommended to ensure only the proposed principal uses and retained open spaces shown on the amended parameter plans for sites 1 and 2 can come forward as part of the reserved matters. A condition is also recommended to address the concerns of Kent Police relating to Secure By Design.
65. The indicative layout is in accordance with HOU3a (a) because it is appropriate to this part of Stanhope and is compatible with the character and density of the surrounding area. On these grounds I support the proposals as they are compatible with policy HOU3a (a) of the Local Plan. Matters of appearance will be dealt with at reserved matters stage.

#### **Impact on open space**

66. The indicative proposals will include allocating the majority of the former Linden Grove school sports field (site 2) as public open space to meet the local needs generated by the development itself.
67. The applicant has stated that this Oak Field (Site 1) is not a designated area of Open Space and is only accessible to the public, on an informal arrangement based on the goodwill of Kent County Council as the main land owner. The Site 1 proposals will result in a minor decrease in the net area of informal open space with the inclusion of the replacement Ray Allen Children's Centre building on this part of the application site. This would result in the loss of an area of approximately 400 square metres of informal open space. I am of the opinion that the loss of a small part of the Site 1 Oak Field for a Children's Community Centre is acceptable as there is a critical

need for local investment in this replacement community facility. The centre will continue to provide a valuable service to the community in need due to significant social and economic deprivation with the Stanhope area officially ranking amongst the top 10% of most deprived neighbourhoods in the England when measured against The Index Of Multiple Deprivation across England (source KCC Strategic Commissioning Statistical Bulletin January 2020). A modern replacement facility will inevitably provide and encourage more vulnerable families, children and young people living locally, to have improved access and support to critical social, health and education services. The need for this important community provision in my view, outweighs the loss of a modest area of informal grass area that is rarely used. A condition is recommended to ensure the Ray Allen centre is provided on Site 1 before it is demolished from site 2.

The replacement MUGA adjacent to the Pitchside/courtside land within site 1 Oak Field, will improve the quality of the open space and sports facility and will encourage greater levels of use and activity within the existing informal green space. It will be a better quality more modern MUGA which should be larger than the one being replaced. The MUGA is proposed to be provided in a more suitable and prominent location near the other existing Pitchside sports hub facilities and two proposed new grass junior football pitches. The Ashford Borough Local Plan 2030 states in para. 10.47 that supports expansion of the Courtside/Pitchside Hub and the replacement MUGA is in line with this. I therefore am able to support the small loss of part of the informal green open space where the MUGA will eventually be sited, to provide a good quality sports and recreation facility for the local community. A condition is recommended to ensure the replacement MUGA is provided on site 1 before the closure of the MUGA on site 2 occurs.

68. The proposals will secure an informal green space as public open space on Oak Field. Given the improvement in facilities with the replacement Children's Centre, MUGA and two replacement junior 7-a-side grass football pitches I consider that the proposals will result in substantial improvement to the current range of facilities and will support a greater frequency and intensity of use by people from the local community. I also consider the minor harm from this small reduction in green space to provide the Children's Centre and the MUGA will be mitigated by the increase in overall green space across both site 1 and 2. As Also the improvements on site 1 to the recreational and sports facilities available to the local community and improvements to the community social support facilities and services within a new Ray Allen Centre. A condition is recommended to ensure full details of the design and appearance of the facilities and an extensive landscaping scheme can be secured at reserved matters stage to improve the overall appearance of the green space and possibly help screen and soften the appearance of the MUGA and Children's Centre. A section 106 obligation is recommended to secure an appropriate on site management regime for site 1 in perpetuity.



69. On site 2 there will be a net increase in public open space based on the following
- 0.4 hectare loss of informal green space around Ray Allen Centre car park and east of sports hall access road
  - 0.52 hectare gain of former sports field as public open space
  - 0.13 hectare gain with inclusion of integrated open green link space running east to west through site
70. This gives a net increase of 0.25 hectares of green space overall albeit with the loss of the sports field that will be dealt with later on in assessment in section looking at impact on sports facilities. Policy COM2 of the local plan only supports the redevelopment of existing open space, sports and recreational buildings and land for other purposes if it would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or the development is for an alternative sport and recreational provision, the needs for which clearly outweigh the loss.
71. The outline proposals include the development of some housing on a small area of informal green space (approximately 0.4 hectares) adjacent to the existing Ray Allen Children's Centre car park and Stanhope Sport Centre access off Stanhope Road. This unused space is rather concealed which gives the impression it is within the ownership of the school rather than being useable open space. This small space is partially screened by mature trees and much of it is in an unkempt condition. As such, it has little public amenity value.
72. The loss of this small pocket (0.4 hectares) of informal green open space will be compensated by the provision of a new area of public green open space of approximately 0.52 hectares on the site of the existing sports field plus a green link shown running through the heart of the indicative layout site of an area of approximately 0.13 hectares. This results in a net increase on the Site 2 part of the application site of 0.25 hectares of public open space.
73. I am satisfied that the principle of the development of the modest pockets of informal green space is acceptable as there will be a net increase in the amount of usable public open space of 0.25 hectares available within site 2. A section 106 obligation is recommended to secure an appropriate on site management regime for site 2 in perpetuity.
74. Under Local Plan policy COM2 and the Green Spaces SPD, the new 205 dwellings would need approximately 0.85 ha of additional open space to that which is available.. The balance of the required new open space against the net increase of (0.25 hectares) means a contribution based on shortfall of 0.6 hectares will need to be provided through offsite contributions, which will be achieved through the section 106 obligation.
75. The new area of open space on site 2 will be integrated with the outline proposals for a residential use and layout. The open space would have a

much more open character and be of much higher quality than the original primary school field now unused. I consider that an attractively designed space would have great benefit to the community by being a destination space for residents to relax in and enjoy and adding a strong sense of character and identity to the place. This would be covered by condition and secured at the reserved matters application.

76. On site 1 as well as opening up the green space to public use there will be other improvements to the facilities within Oak Field open space and the significant upgrades to the sporting facilities at Courtside and Pitchside. These include new grass pitches, resurfacing the astroturf pitch and replacing and improving changing facilities and toilets. This will help improve the quality and encourage greater usage of the sports facilities and open spaces. The Ashford Borough Local Plan 2030 para. 10.47 supports the expansion of the Courtside/Pitchside Hub. I am satisfied the new location of sports pitches on Site 1 is in line with this.
77. I therefore support the proposed amount of open space being provided. Also contributions will be sought for offsite contributions to improve open space provisions to meet any perceived shortfall.
78. As part of the outline proposals, to ensure the replacement and increase in parking facilities for the users of Pitchside & Courtside, an agreement has been reached between the applicant and the land owner (Diocese of Canterbury) to secure no less than 82 off site car parking spaces on the grassed area around the Courtside sports facilities. The provision of the replacement 82 parking spaces will be covered by a Grampian condition and will need separate planning permission to be secured which will have to be part of the Grampian too. This issue is discussed in more detail later on in the assessment section. Although not part of the outline application, I have assessed the principle of the loss of this private green space for parking. I have concluded that the loss of this green space is acceptable as the existing car parking area is on a short term agreement that will expire in the next 5 years and a longer term parking solution is required. This parking provision in a better and safer location will fundamentally help to support the ability of the Pitchside & Courtside hub facilities to play a role in delivering the sports provision. Adequate parking is a key objective of Local Plan Policy TRA3(b) and on these grounds I consider the loss of the private grassed area for extra parking to be acceptable and should be supported to enable the proposals to provide a level of parking proportionate to its activity, and which is acceptable to the Local Highway Authority. On balance I am satisfied the proposed open space meets the community's needs.
79. Although these proposals for housing and replacement community facilities will result in the loss of some small pockets of informal and formal green spaces, new areas of the site will become open space resulting in a net gain in the provision of available public open space and an improvement to its quality that will be secured at the reserved matters stage. On balance I

consider the provision of open space, the improved facilities and off site contributions will meet the community needs generated by the proposed development. I consider that the development will help improve the quality, availability and accessibility to open space and sports facilities within the local community overall. The off site provisions will be delivered through off site contributions secured via Section 106 Agreement.

80. The proposals also accord with policy HOU3a (c) of the Local Plan as it would not result in significant harm to or the loss of, public or private land that contributes positively to the local character of the area and in fact results in the net increase in the provision of more publicly accessible open space. On these grounds I support the proposals as they are compatible with policy HOU3a (c) of the Local Plan.
81. I consider the impact of the development on open space is therefore acceptable, since there is a net increase in green open space, the open space is being provided on site and the public open space will also be of a better quality with improved facilities that will appeal to the community much more. On these grounds I support the proposals and conditions will be recommended to ensure the detailed designs at reserved matters stage are in strict accordance with Public Green Spaces and Water Environment SPD.

#### **Impact on sports facilities**

82. The principle of the loss of a modest part of the former school sports field needs to be assessed against policy COM2 of the Local Plan, relating to sports, recreation and play space and outdoor sports pitches.
83. Linden Grove Primary School grass sports pitches were used until recently by the John Wallis Academy school and at times in the past by local junior football clubs. As part of the initial proposal the sports pitches were not due to be replaced. ABC and Sports England had major concerns about this which led to negotiations between ABC, Sports England and the applicant about the Oak Field (Site1). Subsequently it has been agreed to provide the junior football pitches in this location, nearer to the other Pitchside and Courtside sports facilities. This enables these potentially noisy activities to be kept away from the proposed housing part of the development. on the site 2 part of the application site.
84. I am satisfied that the proposals will provide space for better quality grass football pitches and a replacement MUGA in a location close to the Pitchside/Courtside sports hub. It will also directly fund the resurfacing of the existing 3G Astro turf sports pitch, the surface of which is due to expire within the next couple of years. This is outside the application site and within the grounds of the John Wallis Academy site and therefore this resurfacing will need to be secured by a Grampian condition.

85. Sport England also require replacement changing rooms and replacement car parking spaces and the applicant proposes to provide these in a way that will be more accessible by the users of Pitchside/Courtside. Parking will be looked at in subsequent sections but the upgrading and increase in numbers of more accessible car parking spaces will significantly improve the appeal of using the facilities within the community.
86. The redevelopment of part of the former school sports field is in keeping with policy COM2 which indicates sports facilities should only be redeveloped or used for other purposes if any loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. I consider that the proposals accord with Policy COM2, through the delivery of new sports better quality sports facilities as well as the enhancement of existing astroturf facilities and it improves its quality, availability and accessibility in a better location with improved parking.
87. The scheme therefore includes some new sports provision delivered via a combination of both on-site measures on site 1 Grampian conditions relating to the adjoining facilities outside the site and provision for the new housing through off-site financial contributions, secured via Section 106 obligations. The extent of the on and off site sports provision is factored into the viability assessment, which is dealt with later in this report.
88. Despite objecting to the original application, Sports England has confirmed it is now satisfied with the amended proposals. To ensure accordance with exception E4 of Sport England's Playing Field Policy and para 97(b) of the NPPF, they are recommending conditions are attached to any approval to ensure the sports pitches are equitable in quality and subject to equivalent or better accessibility and management arrangements. I am recommending these conditions be imposed on any grant of permission.
89. Policy COM2 requires the provision of sports facilities to be targeted towards the Borough's sports and recreation hubs, which includes Pitchside/Courtside at Stanhope. On these grounds the proposals will secure direct improvements close to this facility and I am satisfied that the replacement sports facilities and any s106 contributions for off site provisions will be acceptable and in accordance with policy COM2. For this reason the development accords with current policies and with Sports England withdrawing their objection, I support the provision of the sports facilities which meets the policies of the local plan and NPPF.

### **Impact on Community & Social Facilities**

90. Site 2 was formerly the site of the Linden Grove primary School. The school moved to the John Wallis Academy on their main campus which immediately adjoins the application site.

91. Kent County Council as applicant has indicated the redevelopment of the vacant Linden Grove primary school site and surrounding land including the former South Kent College, Ray Allen Children's Centre and Oak Field is to recoup the capital cost of providing the new school.
92. The new Ray Allen Children's Centre will rehouse all the current facilities operating from the existing Children's Centre. These include;
  - Community Centre.
  - Nursery childcare and early education
  - Cafe
  - NHS Kent Community Health - Health advice and support for mother and baby
  - Child health clinics
  - Patient advice and liaison service - confidential advice and support to patients, families and their carers, and can provide information on the NHS and health related matters.
  - Family support programmes
  - Antenatal classes
  - Services for children with special needs and disabilities
  - Music sessions for children with additional needs
  - Training opportunities
93. The existing facility needs considerable investments to bring it up to modern requirements and KCC has opted to include a replacement Children's Centre facility on site 1 Oak Field. It is ideally located within the community by being in a busier area opposite the main parade of shops and directly on route to the schools as well as being near bus stops. This will allow for improved facilities in a more visible location which could help raise its profile within the local community.
94. The exact design and siting of the building, adjacent on street car parking, and landscaping will be dealt with at a reserved matters stage and needs to be designed holistically with the route to the primary school access, MUGA and football pitches.
95. The development is in accordance with Local Plan Policy HOU3a (h) as the proposals would not displace off site any active use such as employment, leisure or community facility. The proposals include the principle that community facilities on site will be upgraded and replaced and I am satisfied this can be addressed in more detail at the reserved matters stage.
96. Policy COM1 (Meeting the Community's Needs) requires infrastructure and facilities to meet the needs generated by new development, including sports, arts, community (including youth) and voluntary sector space, education and health provision. This policy states community facilities shall be provided as the community is established and such facilities shall be secured through Section 106 Agreements.

97. The provision of the replacement Children's Centre needs to be carefully tied into phasing of the whole development so that it is constructed before the demolition of the existing Children's Centre. There is no reason why this cannot be done at a relatively early stage of the overall development and this will be dealt with by condition. On the grounds that the existing community uses are to be replaced on site the scheme is in accordance with HOU3a (h)

### **Highways & Access**

98. The proposed three main vehicular accesses are the only matters to be considered as a formal part of the outline application. Any other accesses relating to vehicles, cycling or pedestrians are reserved matters as I am satisfied with the position of the accesses as in urban design grounds they make effective use of the existing accesses that can potentially help retain many of the established trees and landscaping features of the two parts of the application site. The location of the accesses will provide an excellent basis for an overall well connected layout as shown on the indicative layout plans I. The distances between the 3 main access points are acceptable and will offer suitable flexibility to enable options for the eventual overall site layout of buildings to be explored. The location of the accesses will ensure a variety of street block depths can be provided to ensure a good movement framework and hierarchy of streets with good legibility and which is vital to achieving a well designed place with a strong identity and distinctiveness. The proposed highway access points accords with policy TRA7 of the local plan which requires accesses to be safe and avoid delays by being well related to the existing road network. Kent County Council Highways has no objection in highway terms.
99. The site offers many opportunities to connect with existing footpaths and surrounding streets. Policy TRA5 and TRA6 states that development proposals shall demonstrate how safe and accessible pedestrian and cycle access and movement routes can connect to the wider movement network and whenever possible, encouraging journeys on foot or on cycles. This demonstrates clearly there is a strong need to ensure the entire south side of Stanhope Road is improved for pedestrians and cyclists and given the number of schools and the children's centre and new housing, some crossing points and potentially some simple traffic calming measures at key points will be required. The traffic calming measures need to be covered by conditions.
100. The need for a potential emergency access into the site off Stanhope Road and all other cycle and pedestrian accesses to the site is not being considered at the outline stage and will be a detail to be dealt with at the reserved matters stage.
101. Kent Highways and transportation do not object to the proposed development and are content with the provision of 65 extra care units and the 205 residential dwellings, as the trip generation assessment has subsequently

demonstrated that the new scheme proposals will result in acceptable vehicle trip levels.

102. Kent Highways and Transportation agree that the replacement car parking to serve the Stanhope Sports Centre and Courtside needs to be secured prior to the commencement of development on site and that this replacement car parking can be secured through a suitably worded Grampian planning condition rather than being secured through a Section 106 Legal Agreement, and have suggested conditions to deal with this. They support the applicants proposal for an improvement of the formal illuminated footpath linking John Wallis car park to the Sports Centre, Pitchside and Courtside and have agreed that this also needs to be secured through an appropriately worded Grampian condition. This will significantly improve the experience and security of users after dark.
103. Kent Highways have asked for a mitigation scheme consisting of double yellow lines on Tennyson Road at the Kingsnorth Road / Tennyson Road mini-roundabout about 70m east of the site (300m by road) to the east of the site. The introduction of more double yellow lines will help discourage indiscriminate resident parking that is occurring close to the junction. This will help provide increased traffic capacity on this arm of the roundabout, by improving the flow of traffic at the junction. Reducing the existing parked cars around the junction will significantly improve visibility for drivers. This is included in the proposals and I support the proposed changes. Kent Highways agree this will need to be secured through a suitably worded Grampian planning conditions.
104. Kent Highway's support the principle of introducing parking bays along Stanhope Road and recognise they are indicative only and the detail will be reviewed at the reserved matters stage. They have suggested a planning condition is therefore required to say that development shall not be commenced until details of the parking is agreed.
105. Kent Highways accept that the application only includes the 3 points of access off Stanhope Road from Site 2 and any other further access points for vehicles, pedestrians or cyclists will need to be approved by Kent County Council in its position as Local Highway Authority at a reserved matters stage. The application description has been amended to reflect this.
106. Kent Highways support the inclusion of double yellow lines proposed to the east of access 3 and will again need to be secured through a suitably worded Grampian planning condition.
107. Kent Highways noted a Stage 1 RSA has been completed for the three existing access points on Stanhope Road and have noted any further works to further accesses will need to be addressed through the reserved matters.

108. Kent Highways are also satisfied that the location of the existing mobile phone mast will not affect junction visibility and the detail of the dropped kerb and tactile paving works at associated accesses. Kent Highways have also accepted the refuse vehicle tracking at accesses is acceptable. KCC Highways have agreed that the emergency access previously proposed onto Stanhope Road is no longer part of the current proposals.
109. I consider that the development fully accords with policy HOU3a(e) of the Local Plan by virtue of the three proposed access arrangements and indicative street network. This will ensure the development can be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network and on these grounds I support the proposals as they are compatible with policy HOU3a(e) of the Local Plan I am satisfied based on the layout principles that highway safety issues can be successfully addressed at a reserved matters stage. I support the proposals as Kent Highways are also satisfied the proposed development is safe and associated traffic movement generated and junction mitigation works will not have a detrimental on the local road network. Kent Highways also consider the proposed detailed accesses are acceptable on highway safety grounds and are in accordance with policies HOU3a (e), TRA7 and TRA8 of the local plan.

### **Parking**

110. Although parking will form part of the reserved matters submissions, negotiations have taken place to demonstrate there is sufficient land and a strategy in place primarily to ensure sufficient car parking is retained for all the existing and proposed sports facilities. During the evening there is often high demand for parking in Ray Allen Centre car park (55 spaces) the existing car park adjacent to the astroturf pitch (87 spaces) and the 5 spaces in the sports hall car park. There are a further 49 spaces within the former Linden Grove school site to be lost but these were previously used by school staff and are now redundant. They have never been used by the users of the Pitchside or Courtside facilities so have been disregarded from the discussions about parking provision for users of the sports pitches.
111. Through discussions the proposals now include 319 replacement car parking spaces for the loss of the 147 existing spaces available to Pitchside/Courtside users. This a net increase of 172 car parking spaces all within easy walking distance of the indicative proposals for the Children's Centre and the existing Pitchside and Courtside sports facilities.



112. The car parking figures in the following table show existing and proposed locations and numbers of car parking spaces -

Existing Parking Spaces		Replacement Parking Spaces	
Pitchside/Courtside Car Park	<b>87</b>	On street (site 1) adjacent to RAC	<b>38</b>
Stanhope Sports Centre Car Park	<b>5</b>	On street (site 2)	<b>36</b>
Ray Allen Centre (RAC)	<b>55</b>	Stanhope Sports Centre	<b>82</b>
		John Wallis Academy	163
		<i>(existing car park – available for users of sports pitches during most weekday evenings and at weekends)</i>	
<b>Total 147</b>		<b>Total 319</b>	
<i>Former Linden Grove school car park 49* (Car park was never available to users of sports pitches or RAC – spaces have not been used since school moved)</i>			
<b>Net Increase for users of sports facilities 172</b>			
<i>Available for users of sports pitches during most weekday evenings and at weekends</i>			

113. The outline proposals include the provision of 82 new parking spaces in a new car park adjacent to the Stanhope Sports Centre Sports Hall. These parking spaces will replace the 5 that exist there currently and will be solely for Pitchside/Courtside users during the evenings and weekends. Although this area is outside of the application site boundary and this parking will require separate planning permission, the provision of this parking be secured through the recommendation of a Grampian condition to prevent the housing development coming forward in advance of this parking being provided.
114. Along Stanhope Road approximately 36 new car parking spaces are to be provided along the frontage of Site 2 part of the application site. These new spaces will be flexible and be available for users of the Pitchside/courtside facilities. This is only indicative and it is agreed that the detail can be reviewed at the reserved matters stage through consultation with Kent Highways & Transportation. Parts of these parking spaces overlap the edge of the application site, so to alleviate any concerns over the delivery of this parking, a Grampian condition will be recommended to prevent this aspect of the development coming forward in advance of any highway safety concerns being resolved. This condition will be worded to say that the development shall not be fully commenced until details of the parking on Stanhope Road have been agreed in writing with both Kent County Council and Ashford Borough Council. The provision of this parking will also be conditioned.
115. Further along Stanhope Road by Site 1 (Oak Field), 38 on street car parking spaces are shown indicatively to be provided for daytime users of the Ray Allen Centre and evening/weekend users of the Pitchside/Courtside users. As they are outside of the application site they will also be secured by Grampian condition, with the detail layout of them dealt with at a later stage.

116. The outline proposals include the potential extra use of the 163 existing parking spaces serving the John Wallis Academy. These spaces will be a short walk away from the Pitchside astroturf pitch. The offer is these parking spaces will be made available for users of Pitchside during weekday evenings and at weekends. New landscaping and lighting will be required by condition, in order to provide a more direct and safer route from the car park to the astroturf pitch. On the grounds of improving lighting and pedestrian access without harming neighbours or the integrity of the streetscene I therefore support the proposals as they are compatible with policy HOU3a (g) of the Local Plan.
117. On several occasions a year John Wallis Academy holds evening meetings, open evenings, parents' evenings and school performances. On these relatively few occasions their 163 parking spaces will not be available to Pitchside users, the management of the Academy will be encouraged to inform and notify Pitchside users to find alternative arrangements. I am satisfied that despite these extra 163 JWA spaces being unavailable occasionally, the other 156 car parking spaces will still be sufficient to meet the demand as this represents an increase of 9 extra spaces than the current 147 spaces available to Pitchside and Courtside users. It would be helpful if an events plan relating to school car park closures in the evenings and weekends were to be submitted to Pitchside/Courtside each year. The John Wallis Academy will also be encouraged to notify the operators of the Ray Allen Children's Centre of any such events.
118. The Children's Centre parking will include 38 on street parking spaces located close to its indicative position although this is a reserved matter.. A further 82 will potentially be available to users of the Children's Centre during the day at the new car park next to the Sports hall. Currently the Children's Centre has 55 dedicated parking spaces so I support the outline proposals for the replacement parking proposals.
119. The indicative layout for the new residential areas contains sufficient mix of parking options but this will be dealt with in full detail at a reserved matters layout stage.
120. Kent Highways support the outline application on parking grounds. They have highlighted the importance of securing an improved illuminated footpath linking John Wallis to the Pitchside, Sports Centre and Courtside. On these grounds of having safe lighting and pedestrian access, I support the proposals as they are compatible with policy HOU3a (g) of the Local Plan
121. Kent Highways have also agreed to the Grampian condition securing the 82 'replacement' car parking for Courtside/Stanhope Sports Centre; the 38 spaces along Stanhope road serving the Ray Allan Centre and other 36 on street parking spaces in Stanhope Road adjacent to Site. They welcome the additional 163 spaces at John Wallis Academy.

122. As the parking provision for all new facilities is considered sufficient and there will be no impact on local residents parking facilities, I consider the proposals conform with the principles of the Local Plan policy TRA3a (parking standards for residential development) and I am satisfied that alternative car parking would be made available for the sports users and community facilities in accordance with policy TRA3b (Parking standards for Non Residential Development) . In addition KCC highways support the proposals.

### **Impact on Residential Amenity**

123. The outline proposals for new housing, new Children's Centre and reconfigured car parking are not expected to have a detrimental impact on amenities of existing residents due to the distance between the existing dwellings and the proposed building. .
124. Indicative plans include an enhanced boundary treatment will be provided along the rear or side boundaries of up to 30 properties in The Limes since they immediately adjoin the application site. . This will be dealt with at a reserved matters stage and good distances will be retained between the rear of new and existing dwellings.
125. The extra care housing block (C2 use) will be potentially close to the boundary of 10 properties in Kingsnorth Road that back onto the original school sports field. However the existing properties have rear gardens over 30 metres deep that are also behind a boundary featuring a dense line of mature trees that would be retained. Therefore the detail of any new care home building dealt with under reserved matters will result in a minimum separation distance of approximately 40 metres between the proposed extra care facility and the existing homes. If the building needs to be a mix of two, three and four storeys, any 4 storey sections could be positioned more than 40metres away. The design of the building would need to minimise the impact of any overlooking issues. I am satisfied the detailed design of the blocks, and with extra landscaping the proposals will comfortably be able to avoid any impact on residential amenities of adjacent properties.
126. The indicative layout proposals accord with policy HOU3a (b) of the local Plan as the development will not create a significant adverse impact on the amenity of existing residential since I consider the indicative layout and built form is based on the principle of retaining good distances, open spaces and landscaping adjacent to the existing residential properties. I am confident that this can be carefully addressed at reserved matters stage. On these grounds I support the proposals as they are compatible with policy HOU3a (b) of the Local Plan.
127. I therefore support the outline proposal on the grounds it will not have any detrimental effect on residential amenities.

### **Affordable Housing**

128. Policy HOU1 requires the following provision for this site in Stanhope Ward Ashford (one of Ashford Town Wards (Zone A) -
- Total affordable housing requirements = 20% of houses, but none for flats. Out of the total dwellings of 205, 106 are proposed to be flats, and 99 to be houses. Therefore the required quantum of affordable housing would be 20 units
  - No Affordable/Social Rented units are required
- All should be Affordable Home Ownership Products = 20 units (including a minimum of 10% shared ownership) = 10 units.
129. As part of the application, the applicant has produced a viability study for the proposed development. This study has been independently assessed by Bespoke Property Consultants on behalf of the Council. Both the applicant and the Council are agreed as to the figures and conclusions of the viability study which indicates that the scheme is viable and can provide all usual financial and onsite section 106 contributions, together with a level of affordable housing. It is not clear whether this would meet the requirements of policy HOU1 of the Local Plan and the NPPF, because this has not been explored for the reasons below.
130. The applicant has consistently stated that it does not intend to provide any affordable housing in the scheme, as a result of having incurred the capital cost of delivering a new school elsewhere on the applicant's wider site as a replacement for the Linden Grove Primary school, at the request of the local community, which provides a significant community benefit. It is important to note that the cost of the John Wallis Academy Primary School has not been factored into the viability study as it does not form part of the current application, but it is relevant to the consideration of the application as a whole within its overall site and community context.
131. Paragraph 8 of the NPPF lays out the national objectives of the planning system, economic, social and environmental. A key part of the social objective is to provide a range of homes for the present and future generations, which the current proposal does. In addition, the application proposes the construction of a care facility to meet the needs of older persons in the local community. Furthermore, the social objective includes the provision of accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. In this instance the development of the John Wallis Academy Primary School is supporting current and future needs of the community in the South Ashford area, albeit that the Academy does not form part of this application.
132. The NPPF in paragraph 9 states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the

character, needs and opportunities of each area. It should also be noted that paragraph 12 of the NPPF states local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. In the consideration of this application, there are exceptionally, particular unique local circumstances which I consider can be taken into account in considering whether to allow the non-provision of affordable housing as part of the current application

133. The closure of the Linden Grove primary School and the construction of the immediately adjoining John Wallis Academy Primary School has enabled the current application to come forward and was essential to release the site for residential redevelopment. The construction of the John Wallis Academy, which caters for the whole of school life, has transformed the education provision with the Stanhope Estate, which as economic factors show is amongst top 10% of the most deprived areas in the country. It is clear that the Academy is making a very positive contribution to the provision of services within the area and to the character of the area through the construction of the new buildings. This change will continue through the construction of the buildings that are being considered under the current proposal. It will also allow for a greater mix of housing tenure in the area by the introduction of both newbuild market housing and an older persons' care facility.
134. Kent County Council has forward funded the provision of the John Wallis Academy in the sum of £4.5m. (and in fact Ashford Borough Council is also heavily contributing to the capital cost of the primary school element). The applicant has explained that, by virtue of its ownership of both sites, capital receipts from the development under consideration would also be used to contribute to the capital cost of the forward funding of the new primary school. The provision of affordable housing on the application site would lessen the receipts available to contribute to the forward funding of the primary school, which has been shown to be important in leading the transformational change within the area.
135. It is also relevant that the application proposes the replacement of the existing, ageing Ray Allen Children's Centre, a well-used and important facility in the area, with a new facility which will offer modern standards of provision. It is proposed that this be required by planning condition, and the improvement in facilities that will result can therefore also be taken into account in considering the unique circumstances of this proposal.
136. Furthermore, through negotiations, important community sports facilities will be replaced and upgraded. This includes the funding of a replacement surface to the 3G astroturf pitch which is coming to the end of its life; the construction of replacement changing rooms and the provision of toilets for the users of the astroturf pitch. The changing rooms will be provided either by

extending or adapting the existing courtside buildings or in a separate building next to the Pitchside astroturf pitch. It is expected that additional toilets will need to be provided next to the astroturf pitch in a location to be agreed. Landscaping and lighting improvements will be provided to make the pedestrian route from the John Wallis car park to Pitchside and Courtside feels safe and secure at night. All these facilities will not be provided within the application site but very close by and they will be secured through agreements or conditions and are a community benefit to which some weight can be given.

137. Having taken account of the Local plan policy, the advice from the NPPF indicates that the particular circumstances of the John Wallis Academy and how it relates to the proposed development on the application site immediately adjoining it can be considered. Effectively, the applicant has already delivered and opened a new school as described, which is a significant community benefit and which could, if timings had been different, have justified some “enabling” residential development being provided on this site in order to help to fund it. In the light of this obvious connection, I consider that there are sufficient unique considerations to allow for the non-provision of affordable housing on this application site and that instead, the applicant should be asked to commit to use the proceeds of sale of this site for development to repay the forward-funding of the Primary School next door in lieu of providing the affordable housing normally required onsite.
138. Bespoke Property Consultants advise that, should the Council be minded to grant planning permission with less than policy-compliant affordable housing, they recommend a viability review mechanism be included in the section 106 agreement. The Council would normally do this by using its established deferred contributions mechanism, whereby the ultimate sales values of residential units are compared with the viability assumptions, and if additional value is generated then a proportion is paid to the Council towards the affordable housing foregone.
139. However in this case the viability appraisal indicates that current values would enable the county council to recover less than half of its forward funding of the primary school. Therefore, a significant increase in sales values would be required to reach the point at which the county council was able to recover the whole of its forward funding and make a surplus which could help to fund affordable housing. The likelihood of a significant increase in sales values, of this magnitude, occurring in a short space of time is relatively small.
140. Bespoke suggest reviewing sales values if the scheme has not substantially commenced construction within 2 years. However, bearing in mind the application is in outline and that the site will first be marketed to a developer by Kent County Council, I recommend that there should be an 18 month deadline for submission of reserved matters for the site, and that any reserved matters approved must be substantially implemented within a year of approval. This would incentivise speedy sale and delivery of this important

urban site within Ashford, which is itself an important objective of housing delivery.

### **Landscaping**

141. This is a matter to be dealt through the reserved matters application. However I am satisfied with the principles of retaining important mature trees and other key landscape features, planting on open spaces and along boundaries to existing properties. The proposed indicative landscaping shows that the development could make a positive contribution to the setting of the development and the streetscene. For this reason the proposals accord with policy HOU3a (d) as it will not result in any significant harm to landscape features. I support the proposals as it proposes relevant landscape elements are protected and integrated into the development.

### **Other Planning Issues**

#### Sustainable design and construction

142. Sustainable design issues will be a detail for the reserved matters stage and will be covered by appropriate conditions.
143. The NPPF states that in determining planning applications, local planning authorities should expect new development to comply with any development plans on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that it is not feasible or viable; and to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
144. The Local Plan 2030 superseded the Core Strategy, and Policy ENV11 states that all major, non-residential development will achieve BREEAM 'Very Good' standard, with at least a 40% improvement in water consumption against the baseline performance of the building. In the absence of any other adopted standard, it is reasonable to use the Local Plan ENV11 standard by which the proposal for the Children's Centre should be assessed. At the reserved matters stage, should Members be minded to grant planning permission.

#### Surface Water Drainage /SUDs

145. The site does not lie within any flood zone and is currently a mix of large areas of green open space and a number of large vacant school buildings and various areas of hardsurfacing for play areas, access roads and car parks. The proposed development will potentially lead to the inclusion of some impermeable surfaces and surface water run-off issues. It is proposed to treat all surface water at source and via both above and below ground SUDs. The SUDs would connect to a detention basin before being discharged at a controlled rate into the surrounding drainage network. This is in accordance with the Council's SUDs SPD, but the layout and detailed design of the SUDs

system will be formulated at the reserved matters stage and a condition is recommended. KCC drainage raise no objection subject to the imposition of such a condition. The proposal would comply with policy ENV9 of the Local Plan. I am content with the principles and support the outline scheme on surface water drainage grounds.

146. Southern Water have objected to the plans on the grounds that the indicative position of the replacement Ray Allen Children's Centre will lie over an existing public foul rising main and building over the public foul rising main cannot be permitted.
147. The siting of the Children's Centre and car parking is indicative and there is sufficient options and space on site 1 and either side of the public foul rising main to look at siting the Centre to achieve the required standoff distances. As the siting and layout is indicative and there is lots of flexibility to consider the siting of the building in relation to the public foul rising main, I do not feel it is necessary to amend the indicative layout plans at this stage
148. A condition will be attached to ensure that at the reserved matters stage the applicant needs to demonstrate the exact position of the public foul water/sewers on site and in consultation with Southern Water before the layout of the proposed replacement Ray Allen Children's Centre development can be finalised.

#### Utilities

149. The proposals do not need any substantial infrastructure or other facilities to support it and only some modest upgrades are needed to foul water drainage and water supply. I am therefore satisfied the development complies with policy HOU3a(f) of the Local Plan and support the proposals.

#### Ecology/Biodiversity

150. KCC's Ecological Advice Service have reviewed all the ecological information submitted relating to bat surveys, reptile surveys and Great Crested newt surveys. Great Crested Newts are unlikely to present and that no mitigation measures are required for this species. Kent Ecological Service have confirmed that they are satisfied with recommending conditions to ensure ecology issues will be dealt with at a reserved matters stage. On the grounds that the proposals would not result in any significant harm to any biodiversity interests. I support the proposals as they are compatible with policy HOU3a (d) of the Local Plan

#### Heritage & Archaeology

151. There is some high potential for some Iron Age and Romano archaeological activity as an old Roman Road appears to have run through the eastern side of the Site. Historical aerial photographs also show that a second world war



Prisoner of War camp located to the north of Stanhope Road extended into the northern part of the Site.

152. KCC heritage have pointed out that although the archaeological assessment is brief, this is an indicative layout, and since the application is an outline there are options for flexibility with the layout and archaeological, matters can be dealt with by condition. The proposed development does not impact on any heritage assets.
153. Therefore I consider the scheme to be acceptable on heritage and archaeological grounds and the proposals are in accordance with the principles of the Local Plan policy SP1 which seeks to conserve and enhance heritage assets in the borough and to protect the settings of such assets in a way that promotes distinctive places. On these grounds I support the proposals as they are compatible with policy HOU3a (d) of the Local Plan as the proposals would not result in any harm to heritage assets. I am satisfied that any heritage archaeological issues can be addressed by conditions to ensure they are dealt with at the reserved matters stage.

#### Self-Build Housing

154. Under policy HOU6 Self build housing is required for sites of over 40 units. An obligation will be secured by section 106 agreement.

#### Accessible Standards & Adaptable Dwellings

155. Under policy HOU14 at least 20 percent of all 'new build' homes shall be built in compliance with building regulations part M4 (2) as a minimum standards. This is intended to help create safe, accessible environments and promote inclusion and community cohesion. This accessibility standard will be secured by section 106 agreement.

#### Contamination

156. The Environmental Protection team at Ashford Borough Council have acknowledged that there is a low risk of contamination on the site and they advise that any minor contamination issues on the site can be covered by condition so that any issues can be addressed fully at the reserved matters stage.

#### **S106 Contributions**

157. Regulation 122 of the Community Infrastructure Regulations 2010 says that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:
- (a) necessary to make the development acceptable in planning terms,
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development

158. The Local Plan Policies COM 1 and COM2 state that it is required to provide appropriate contributions towards the provision, management and maintenance of related community facilities and infrastructure to support new dwellings. These are set out in Table 1 below which sets out the heads of terms for the S106 Agreement.
159. I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed the obligations against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.
160. Policies COM1 and COM2 of the Local Plan 2030 and the Council's Public Green Spaces and Water Environment SPD provide clear policy support for seeking financial contributions towards infrastructure and facilities required to meet the needs generated by development. The LPA may consider whether an application in a settlement with assessed and demonstrated public open spaces needs is unacceptable in planning terms unless it contributes towards meeting its own demands upon those facilities.
161. Contributions are also required to enhance Voluntary Sector Services to meet the demand generated from this development.
162. A public art contribution is also required to enhance the design of the development and the locality.
163. KCC has requested that the development proposal gives rise to up to 37 additional primary school pupils during the occupation of the development and as well as 26 additional secondary school pupils which KCC has identified can only be met through the enlargement of John Wallis Academy.
164. KCC has also requested contributions for the following:
- Libraries – contribution towards additional book stock at Stanhope Library to serve the increased demand for borrowing arising from the development. This would go to meeting the additional demand
  - Youth Services – contribution requested towards additional equipment for local Youth Services. This is a priority service area for Kent Youth, enabling it to take the service to different localities..
  - Community Learning -. Additional portable IT and equipment for Ashford North Youth Centre.

Adult Social Care - the S106 contribution was requested towards upgrading a Changing Place Facility in the vicinity where social care services are delivered by KCC or a third party. Also they require 3 Wheelchair Adaptable Homes as part of the on site affordable homes delivery.

Contributions under the Green Spaces SPD – Contributions are as per those set out in table 1.

High Speed Fibre Optic Broadband connection: to be covered by condition.

Contributions under the Green Spaces SPD – Contributions are as per those set out in table 1

165. The NHS have requested contributions towards the refurbishment / expansion of local healthcare facilities.
166. Should any of the projects identified in Table 1 be subsequently amended then delegated authority is requested to amend the S106 agreement accordingly.
167. In light of the above, I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

TABLE 1: Planning Obligations			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
1. <b><u>Children's and Young People's Play</u></b>  Contribution towards investment in play facilities within public open space within 1km of the development	£649 per house / £473.23 per flat for capital costs  £663 per house / £483.44 per flat for maintenance	Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.	<p><b>Necessary</b> as children's and young people's play space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Ashford Local Plan policies COM1, COM2, IMP1 &amp; IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use children's and young people's play space and the play space 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 the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>

2.	<p><b><u>Informal/Natural Space</u></b></p> <p>Provision on site of approx. 1.5 hectares of open land on Site 1 and 0.65 hectares on Site 2, plus off-site provision of the shortfall of of open space by way of contributions to the value set out in the adjacent column towards investment in open space within 1km of the development.</p> <p>On-site space to be provided, made available to the public and maintained through a management regime with details to be approved by the Council.</p>	<p>£434 per house / £316.46 per flat for capital costs</p> <p>£325 per house / £236.98 per flat for maintenance</p>	<p>Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.</p>	<p><b>Necessary</b> as improvements to the informal/natural green space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Ashford Local Plan policies COM1, COM2, IMP1 &amp; IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use informal/natural green space and the space 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 the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
3.	<p><b><u>Outdoor Sports</u></b></p> <p>Contribution towards the re-surfacing of the existing 3G</p>	<p>£1,589 per house / £1,158.65 per flat for capital costs</p>	<p>Contribution for each phase to be paid before occupation of 75% of the dwellings in that</p>	<p><b>Necessary</b> as outdoor sports pitches are required to meet the demand that would be generated and must be</p>

	pitch facility adjoining the site, and/or another facility in the area	£326 per house / £237.71 per flat for maintenance	phase.	<p>maintained in order to continue to meet that demand pursuant to Ashford Local Plan policies COM1, COM2, IMP1 &amp; IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use sports pitches 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 the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
4.	<p><b><u>Strategic Parks</u></b></p> <p>Contribution off site towards investment at Conningbrook Lakes Country Park</p>	<p>£146 per house / £106.46 per flat for capital costs</p> <p>£47 per house / £34.27 per flat for maintenance</p>	Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.	<p><b>Necessary</b> as strategic parks are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Ashford Local Plan policies COM1, COM2, IMP1 &amp; IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p>

				<p><b>Directly related</b> as occupiers will use strategic parks 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 the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
5.	<p><b>Allotments</b></p> <p>Contribution towards investment in off-site allotment sites within 1km of the development, including private, public and community sites</p>	<p>£258 per house / £188.13 per flat for capital costs</p> <p>£66 per house / £48.13 per flat for future maintenance</p>	<p>Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.</p>	<p><b>Necessary</b> as allotments are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, COM1, COM2, COM3, IMP1 and IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use allotments and the facilities to be provided would be available to them.</p> <p><b>Fairly and reasonably related in</b></p>

				<b>scale and kind</b> considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.
6.	<p><b>Undertaking by the applicant to recycle all disposal receipts towards repaying the previous forward-funding provided for the delivery of the primary School at John Wallis Academy campus.</b></p> <p>Provide written evidence of the terms of disposal and receipts for the Oak Field (site 1) and the former Linden Grove school site (site 2) and evidence of how the receipts have been used to repay the forward-funding.</p>	Applicable to all disposal receipts, whenever received	Within 3 months of disposal of each part of the former Linden Grove School and Oak Field sites	<p><b>Necessary as the loss of affordable housing on this important site is only acceptable in planning terms in order to fund (retrospectively) the replacement facility for the former Linden Grove Primary School on this site; the new primary school on the John Wallis campus, Stanhope, Ashford is an acceptable replacement; and the waiving of affordable housing is predicated solely upon the recycling of 100% of the proceeds from the disposal of the Oak Field and former Linden Grove school sites into the delivery of a new primary school at the John Wallis Academy campus, Stanhope, Ashford.</b></p> <p><b>Directly related</b> as the loss of this important education facility is only</p>



				<p>acceptable in planning terms if a replacement facility is provided; and that facility has already been provided upfront elsewhere on the wider site.</p> <p><b>Fairly and reasonably related in scale and kind</b> as the replacement education facility is an acceptable replacement for the former Linden Grove school.</p>
7.	<p><b>Primary Schools</b></p> <p>Project: Towards Phase 2 of Finberry Primary School</p>	<p>£4,535.00 per applicable house</p> <p>£1,134 per applicable flat</p>	<p>Contribution for each phase to be paid as follows:-</p> <p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p><b>Necessary</b> As the proposal would give rise to additional primary school pupils. There is no spare capacity at Finberry school and pursuant to Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2, KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p><b>Directly related</b> as children of occupiers will attend primary school and the facilities to be funded would be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent</p>

				of the development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.
8.	<p><b><u>Secondary Schools</u></b></p> <p>Project:- Towards Phase 2 Additional 2FE provision at the new Chilmington Green Secondary School</p>	<p>£4,687.00 per applicable house</p> <p>£1,172.00 per applicable flat</p>	<p>Contribution for each phase to be paid as follows:-</p> <p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p> <p>To be index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment (Oct-16 Index 328.3)</p>	<p><b>Necessary</b> as no spare capacity at any secondary school in the vicinity and pursuant to Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2, KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF</p> <p><b>Directly related</b> as children of occupiers will attend secondary school and the facilities to be funded 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 taken into account the estimated number of secondary school pupils and is based on the number of</p>

				<p>dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.</p>
9.	<p><b>Libraries</b></p> <p>Contribution for additional bookstock for the Stanhope library that serves the local area.</p>	<p>£48.02 per dwelling and per extra care unit</p>	<p>Contribution for each phase to be paid as follows:-                  Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p><b>Necessary</b> as more books required to meet the demand generated and pursuant to Local Plan 2030 Policies SP1, COM1 and KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use library books and the books 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 calculated, is based on the number of dwellings.</p>
10.	<p><b>Health Care</b></p> <p>Extension / refurbishment / upgrade of the following:-</p> <ul style="list-style-type: none"> <li>• Kingsnorth Medical</li> </ul>	<p>£159,900 (based on assumed 495 new patient registrations)</p>	<p>Contribution for each phase to be paid as follows:-                  Half the contribution upon occupation of</p>	<p><b>Necessary</b> as additional healthcare facilities required to meet the demand from 495 additional occupants that would be generated pursuant to Local Plan 2030 Policies SP1, COM1 and</p>

	<p>Practice,</p> <ul style="list-style-type: none"> <li>• Hollington Surgery,</li> <li>• Sydenham House Medical Centre,</li> <li>• Ashford Medical Partnership, and/or</li> <li>• new general practice premises in the area</li> </ul>		<p>25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>IMP1 and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use healthcare facilities 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 estimated number of occupiers.</p>
11.	<p><b>Community Learning</b></p> <p>Project:- Additional portable IT and Equipment to enable the re-configuration and greater use of rooms at the Ashford Adult Education Centre</p>	<p>£34.45 per dwelling and extra care unit</p>	<p>Contribution for each phase to be paid as follows:-</p> <p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p><b>Necessary</b> for community learning space available to meet demand that would be generated and pursuant to Local Plan 2030 Policies SP1, COM1 and IMP1 and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use the community learning and skills service.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because the amount calculated, is based on the</p>

				number of dwellings.
12.	<p><b>Youth Services</b></p> <p>Project:- additional equipment at Ashford North Youth Centre.</p>	£27.91 per dwelling (Extra Care Units are not applicable)	<p>Contribution for each phase to be paid as follows:-</p> <p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p><b>Necessary</b> for youth services space available to meet demand that would be generated and pursuant to Local Plan 2030 Policies SP1, COM1 and IMP1 and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use the community learning and skills service.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because the amount calculated, is based on the number of dwellings.</p>
13.	<p><b>Adult Social Care</b></p> <p>Project:- Changing Place Facility in the vicinity</p>	£47.06 per dwelling	<p>Contribution for each phase to be paid as follows:-</p> <p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p><b>Necessary</b> for social care available to meet demand that would be generated and pursuant to Local Plan 2030 Policies SP1, COM1 and IMP1 and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use the community learning and skills service.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent</p>

				of the development and because the amount calculated, is based on the number of dwellings.
14.	<p><b>Voluntary Sector</b></p> <p>Contribution towards investment in voluntary sector projects within 1km of the site</p>	£15,337.38 total	Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.	<p><b>Necessary</b> as enhanced voluntary sector services needed to meet the demand that would be generated pursuant to Local Plan 2030 policies SP1, COM1, IMP1 and IMP2, KCC document 'Creating Quality places' and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use the voluntary sector and the additional services 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.</p>
15.	<p><b><u>Public Art</u></b></p> <p>Contribution towards the cost of retaining artist(s), embedded within the design team of the new Ray Allen Children's Centre, and the</p>	£59,657.10 in total	No less than 6 months prior to submission of reserved matters application for the new Ray Allen Children's	<p><b>Necessary</b> in order to achieve an acceptable design quality pursuant to Local Plan policies SP1, SP5, SP6, COM1, IMP1 and IMP2 (if applicable) and guidance in the NPPF, the Ashford Borough Public Art Strategy and the Kent Design Guide.</p>

	incorporation and delivery of public art within it		Centre	<p><b>Directly related</b> as would improve the design quality of the development and would be visible to occupiers.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development.</p>
16.	<p><b><u>Custom/Self Build Housing</u></b></p> <p>Provide and market serviced plots</p>	5% of house plots	Phased during delivery of the development	<p><b>Necessary</b> as would provide housing for those who are on the Right to Build register (Ashford Self and custom build register) pursuant to Policy HOU6 of the Local Plan 2030 and guidance in the NPPF and Community Infrastructure Levy Regulations.</p> <p><b>Directly related</b> as the plots would be provided on-site in conjunction with open market housing.</p> <p><b>Fairly and reasonably related in scale and kind</b> as based on a proportion of the total number of housing units to be provided and the area of the borough.</p>
17.	<p><b><u>Accessible and adaptable Housing</u></b></p>	20% M4(2) across the	All accessible and	<p><b>Necessary</b> as providing a mix and type of housing required to meet</p>

	Level 2 access homes (M4(2)) to be provided on-site	whole site	adaptable homes for each phase are to be provided before the occupation of 75% of open market dwellings in that phase	<p>identified needs in accordance with Policy HOU14 of Local Plan 2030 and guidance in the NPPF.</p> <p><b>Directly related</b> as the accessible housing would be provided on-site</p> <p><b>Fairly and reasonably related in scale and kind</b> as based on a proportion of the total number of housing units to be provided.</p>
18.	<p><b><u>Monitoring Fee</u></b></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking.</p>	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years	<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> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the obligations to be monitored.</p>
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the <a href="#">council web site</a> in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>				





## Human Rights Issues

168. 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

169. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

## Conclusion

170. In assessing this proposal, I have concluded that it is within the built-up confines of Ashford, in a sustainable location and can be satisfactorily integrated into the settlement. It is of a layout, design and appearance that is appropriate to and is compatible with the character and density of the surrounding area.
171. The application is supported as it is acceptable on the basis it is in accordance with policy HOU3(a) for many reasons including the proposals would not create a significant adverse impact on the amenity of existing residents. It also accords with HOU3(a) as it would not result in significant harm to or the loss of, public or private land that contributes positively to the local character of the area (including residential gardens). The proposed development would not result in significant harm to the landscape, heritage assets or biodiversity interests. It is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network. The proposals are also compatible with HOU3(a) as it would not need substantial infrastructure or other facilities to support it, or otherwise proposes measures to improve or upgrade such infrastructure. As the proposals are capable of having safe lighting and pedestrian access provided without a significant impact on neighbours or on the integrity of the street scene it is considered to be in accordance with policy HOU3(a). I regard the development to comply with HOU3(a) on the grounds that it would not displace an active use such as employment, leisure or community facility.
172. In light of the above it is recommended that outline planning permission is granted. The application, though, is not in line with the development plan as a

whole, as no affordable housing is proposed and the applicant is unwilling to change its stance on this in the light of the costs it has already expended upfront by forward-funding the new John Wallis Academy Primary School. As such, the application has recently been formally advertised in the local press and by notices onsite as a Departure from the Development Plan (previously, it had been advertised on two occasions as a Major Development, but not specifically as a Departure). Any comments received before the Committee meeting, in response to this third round of public consultation, will be reported to the Committee. Any further comments received up to the closing date of 20 February will be considered by the Strategic Development & Delivery Manager or the Development Management Manager, and would only need to be reported to the Committee if they raise new material matters not covered in this Report, the Update Report or discussions at the Meeting. My Recommendation below has been drafted accordingly.

- 1.78
173. I consider that the unique site and local circumstances of this proposal, together with the public benefits already provided through the new primary school and those to be secured as part of this application, can be a material consideration of sufficient weight to grant planning permission notwithstanding the lack of affordable housing (shared ownership) as required by Policy HOU1. The recommended terms of the s.106 Agreement will allow the applicant to recoup its expenditure on these items from the proceeds of the development. To ensure that the viability assessment does not become dated, and to incentivise a speedy commencement of development on this site, I recommend that the time limits for commencing substantial construction are significantly reduced. I consider this to be a reasonable and appropriate balance between the competing material issues in this case. My recommendation is therefore to grant planning permission subject to those terms being secured under section 106 and in conditions.

## Recommendation

### (A) Subject to:-

- (i) the expiry of the period of public consultation on the application as a Departure from the Development Plan in line with statutory requirements, and
- (ii) any further responses to that consultation which in the opinion of the Strategic Development & Delivery Manager or the Development Management Manager raise new material issues which are not considered in this report, any update report or otherwise at the Committee meeting, being reported back to the Committee for consideration, and
- (iii) the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations

**detailed in Table 1 (and any section 278 agreement so required), in terms agreeable to the Development Management Manager or the Strategic Development and Delivery Manager in consultation with the Director of Law and Governance, with delegated authority to either the Development Management Manager or the Strategic Development and Delivery Manager to make or approve changes to the planning obligations and planning conditions and notes (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit.**

**(B) Grant Outline Planning Permission, including approval for the three proposed accesses onto Stanhope Road, with all other matters, (including all further vehicular, pedestrian and cycle accesses to and through the site) to be dealt with as reserved matters.**

**(C) Subject to the following conditions and notes:**

**Commencement**

1.79

- 1) 18 months reserved matters and 12 months implementation conditions to be reduced to 18months
- 2) Phasing Plan

**Highways and Parking**

- 3) Parking and cycle parking to be retained
- 4) Details of cycle parking facilities
- 5) Provision of site access prior to occupation of any dwellings
- 6) Provision of footway to be constructed on the northern highway verge between the application site and the signalled crossing.
- 7) Provision of other highway infrastructure / works (i.e. signalled crossing)
- 8) Details of speed reduction measures / waiting restrictions as shown on drawing 11520-T-01 Rev P10 prior to occupation of any dwellings
- 9) Car barns/PD restrictions
- 10) Provision of final wearing course

1.80

- 11) Construction Management Plan
- 12) Visibility splays
- 13) Details of speed restriction measures and segregation of the pedestrian / cycleway and vehicular access onto Ashford Road including levels and sections through and details of road markings and barriers and final surface finish.
- 14) Details of highway infrastructure / services.
- 15) Details of final surface finish for roads, driveways, cycleways and footpaths and parking areas
- 16) Details of a new east west footpath and cycle link connecting the two parts of the application site and integrating with all adjacent the main streets, cycleways and footpaths.
- 17) Details of continuous footpath and cycle link along entire south side of Stanhope Road, including tree planting, parking spaces.
- 18) Details of traffic calming measure Stanhope Road to provide pedestrian crossing points
- 19) Grampian Condition - Replacement parking, JWA existing car park. and secure availability of parking.
- 20) Grampian Condition - Details of a minimum of 118 replacement car parking spaces in Stanhope Sports Centre car parking
- 21) Grampian Condition Details of car parking for a minimum of 38 spaces in Stanhope Road to serve the new Ray Allen Children's Centre. and 36 further on street perpendicular parking adjacent to site 2.

### **Uses**

- 22) Limit on residential tenure mix of up to 99 (2 ,3 and 4 bed) houses and up to 106 (1 and 2 bedroom) flats including
- 23) Restriction in use site 2 a maximum of 65 bedrooms Extra Care Unit (C2 use), no more than 205 dwellings and public open green space

- 24) Restriction in use site 1- Ray Allen Centre, 2 junior football pitches, MUGA, and open space
- 25) Any conditions required by Sports England
- 26) Details of location of at least two 7-a-side sized junior football pitches and unobstructed associated overrun areas around fringes of both pitches.
- 27) Details of location and replacement changing rooms
- 28) Details, and the timescale for the replacement surface of the 3G AstroTurf at Pitchside in agreement with ABC
- 29) Details location and timescale for the replacement toilets directly serving the Pitchside 3G pitch in agreement with ABC.
- 30) Details of a direct level access route from base of existing primary school access ramp connecting through Oak Field connecting to Stanhope Road and aligned with any potential new crossing points.
- 31) Pedestrian/cycle route from Oak field to eastern housing site secured
- 32) Footpath along south side of Stanhope Road behind parking and respecting the protected trees.
- 33) Details of pedestrian access from JWA car park to 3G pitch.
- 34) Details of the pedestrian access to The Limes public footpath
- 35) Details of potential improvements to the surface of the footpath and access road adjacent to entrance to The Limes, that links the site to Kingsnorth Road.
- 36) Details of mitigation scheme consisting of double yellow lines on Tennyson Road at the Kingsnorth Road / Tennyson Road mini-roundabout

### **Sustainable Design**

- 37) Sustainable designs for housing and Ray Allen Centre in accordance with policy ENV11.

### **Residential**

- 38) Details of residential space standards including minimum garden sizes
- 39) Refuse storage details

1.81

- 40) Level thresholds
- 41) Electric car charging points
- 42) Water efficiency condition pursuant to policy ENV7
- 43) Dwellings used for C2 purposes only
- 44) Removal of PD rights for extensions and alterations and outbuildings
- 45) Reserved matters (appearance) shall limit scale of dwellings to 2 or 3 storey form with any 4 storey elements kept to an absolute minimum.
- 46) Architectural details for the dwellings
- 47) Materials/samples to be submitted
- 48) Joinery, colour finish and depth of reveals

#### **Landscaping & Open Space**

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- 49) Details of hard and soft landscape proposals including all open spaces
- 50) Protection of TPO trees
- 51) All boundary treatment including open spaces.
- 52) If two replacement sports pitches require the loss of the existing oak tree on Oak Field then 2 replacement semi mature specimens (no less than 5metres in height) will be planted in an agreed central location
- 53) Reserved matters shall include details of the extra care facility secure boundary treatments and landscape buffer to back of houses and no balconies overlooking.
- 54) Reserved matters shall detail a landscaped buffer to new residential units adjoining Courtside pitches and to backs of properties adjoining the rear of homes in The Limes adjoining the site, to avoid disruption from floodlights and any methods necessary to mitigate noise.
- 55) Details of management strategy for green spaces and landscaped buffers to be submitted
- 56) Open space designed in accordance with Secure By Design.

### **Drainage & Disposal of Foul water and flooding**

- 57) Reserved matters shall include Integrated SUDs
- 58) Sustainable Surface Water Drainage Scheme relating to SPD Kent County Councils Drainage and Planning Policy Statement.
- 59) SUDs Verification Report
- 60) Protect or divert sewers
- 61) Surface Water drainage/run off
- 62) Foul water and sewerage disposal for site and in relation to Ray Allenn Children's Centre

### **Others**

- 63) Broadband
- 64) Contamination and remediation / verification report
- 65) Lighting Design Plan
- 66) Noise control measures / mitigation
- 67) Air quality mitigation measures
- 68) Archaeology
- 69) Standard approved plans condition
- 70) Standard enforcement condition.
- 71) Ecological, mitigation and biodiversity enhancements

1.83

### **Note to Applicant**

#### 1. Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative 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/agent responded by submitting amended plans, which did not address all the outstanding issues, and an objection was raised.,
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was dealt with/approved without delay.

1.84

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. EA Informatives

- To be clarified.

## 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 18/01861/AS)

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