

Ashford Borough Council - Report of the Head of Planning and Development
Planning Committee 17th June 2020

Application Number	19/01597/AS		
Location	Home Plus, Beaver Road, Ashford, Kent, TN23 7RR		
Grid Reference	Easting 601063 Northing 142081		
Parish Council	No Parish Council		
Ward	Victoria		
Application Description	Demolition of the existing buildings on the site and the erection of 223 residential units comprising 214 apartments and 9 townhouses (C3) and commercial floorspace comprising 3 commercial units (Units A, B, and C) for a flexible range of uses (A1, A3, A4, A5, B1, D1, and D2) and roof top restaurant, with associated access and landscaping.		
Applicant	A Better Choice for Property Developments		
Agent	Emma Hawkes – DHA Planning		
Site Area	9093 sqm		
(a) 7/5R,1S	(b) -	(c)	CACF-R, SACF-R, EA-R, KF&R-X, KP-X, NR-X, NHSEK-X, SW-X, SC-X, RSIDP-R, KCCF&WM-R, KCCH&T-R, KCCE&B-X, KCCED-X, KCCH&P-X, ABCEP-X, ABCE&S-R, ABCH-X,
<u>Amends</u> <u>15/ 1'R"</u>	<u>Amends</u> <u>'</u>	<u>Amends</u>	<u>KP-X, SW-X, KCCE&B-X,</u> <u>KCCED-X, KCCH&T-X,</u> <u>ABCC&E-X, ABCE&S-X,</u> <u>ABCTO-X</u>

Introduction

1. This application is reported to the Planning Committee because it is classed as a major application and under the Council's scheme of delegation, it falls to be determined by the Planning Committee.

Site and Surroundings

2. The site is located to the east of Beaver Road, with the Avenue Jacques Faucheux to the north and the International Train Station beyond. The River Stour is to the south of the site, to the north is the A2042, the foot crossing bridge for the station car park to the east and Beaver Road to the west with the British Rail Sports and Social Club beyond. The main multi-storey car park for Ashford International Station is to the south east of the site.



Figure 1 Existing Site Plan

3. The site is currently occupied by a retail unit (currently operated by Home Plus) and a hand car wash business (no longer trading) with parking to the front, side and rear of the existing premises. The site is accessed via Beaver Road and is within a short walking distance to the facilities available in the town centre and the Designer Outlet Centre - surrounded by a mixture of facilities and uses; close to amenities, educational, retail and offices, public green areas and sports/leisure facilities.
4. The site is not within a Conservation Area but is notably within an area of archaeological potential. To the south of the site is a Local wildlife site and nature reserve associated with the river corridor with parts located within flood zone 3. In addition, the site has challenging level differences across it with the northern part of the site being at a much lower level than the Avenue Jacques Faucheux.
5. Due to current COVID19 restrictions, the Homeplus unit has not recently been open to the public. The existing unit measures 1,994 sq.m. Prior to shutdown there were 10 employees (some part time). Notice has been served requiring vacant possession by 1 June 2020.
6. In terms of surrounding land uses, there are residential properties to the south of the site in Beaver Road. There is a BP petrol filling station opposite the site in Beaver Road and a new mixed use development comprising a hotel and apartments is currently under construction around the petrol filling station. Victoria Road is an area of significant change in recent times, with new developments including the Curious Brewery, the Aldi Supermarket and newly constructed apartments accessed from Victoria Crescent. These contemporary buildings range in scale up to 15 storeys in height (the approved development at the Kent Wool Growers site in Tannery Lane) and range in design and material including brick, timber, corrugated metals, plain and concrete tile and slate.



Figure 2 - Aerial View of the site (2019)



Figure 3 - View of existing Beaver Road access



Figure 4 – Existing Beaver Road frontage



Figure 5 - Existing Avenue Jacques Faucheux frontage



Figure 6 View of site over river from footpath



Figure 7 International Passenger Station frontage & Curious Brewery

7. Notably, the topography of the site indicates a significant difference in levels between the southern and northern boundaries, highlighting the mass of the existing building on the site and neighbouring buildings (some which are currently under construction) within the vicinity; significantly Ashford International Train Station and the residential development along Beaver Road.
8. With regards to other site constraints, part of the site is partly within flood zone 2 (the part of the site closest to the River Stour) where there is an 8 metre wide easement zone from the top of the bank and there is a known sewer line within the site (which runs along the northern and western edges of the site). The sewer line has a 3 metre wide easement on each side of the sewer.

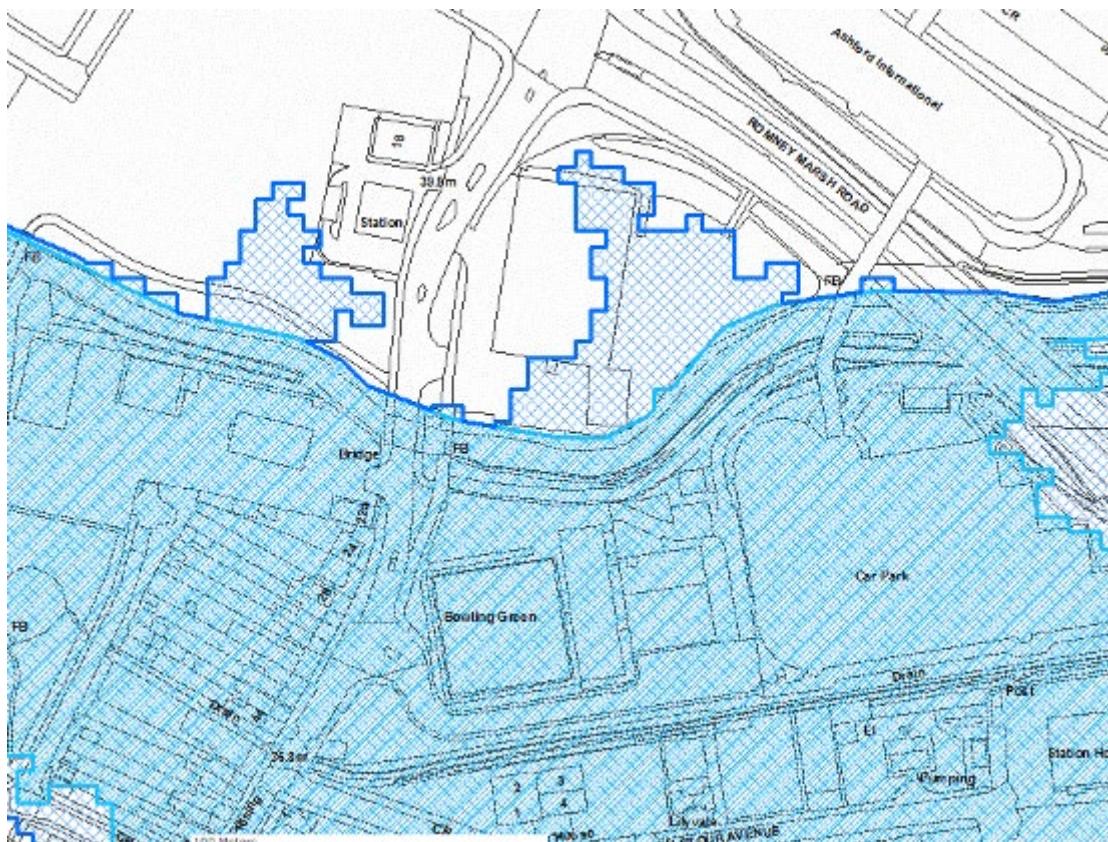


Figure 7A - Flood Zones 2 and 3

Proposal

9. Full planning permission is sought for the demolition of the existing buildings on the site and the erection of 223 residential units comprising 214 apartments and 9 townhouses (C3) and commercial floorspace comprising 3 commercial units (Units A, B and C) for a flexible range of uses (A1, A3, A4, A5, B1, D1 and D2) and roof top restaurant, with associated access and landscaping. The building heights range from 4 storeys up to a tower of 16 storeys with a further lower ground floor level partially sunken below street level.
 10. The scheme is set out in three main parts arranged above and around a two storey car park for residents with the amenity landscaped area above. The buildings partially enclose the landscaped deck to create an elevated courtyard.
 11. The building proposal can be broken into 4 core areas. The scheme delivers 9 modern town houses adjacent to the river frontage at the south of the site. The main core of apartment blocks are placed to the north with the proposal rising to the prominent north-western corner. A second block linked to the car park is located immediately to the east. The landscaped quad is core to the

proposal, physically tying all the different architectural forms and characters together.

12. The 214 apartments will be a mix of 1, 2 and 3 bed units. The 9 townhouses will each have 3 bedrooms.

Number of bedrooms	1	2	3
Number of flats	66	124	24
Townhouses	-	-	9
Total	66	124	33

13. The townhouses will be arranged over 4 floors and each have their own private amenity spaces to the rear. The apartments will have access to balconies or terrace areas/garden spaces. All of the proposed balconies are oversized. There are 16 north facing flats (7.5% of the 214 flats).
14. The proposed development incorporates private outdoor space for each flat by way of a balcony or terrace area. The proposed townhouses will also have access to a private rear garden space (at first floor level adjacent to the proposed quad as well as a roof terrace area).
15. In addition, all residents will have access to a communal space in the quad area which will be exclusively for residents of the development and their guests. The quad area includes a large landscaped area with informal seating, planters and paths which will provide a valuable area of open space for the new community.
16. There are a total of 223 'new build homes', therefore a minimum of 45 units (20%) need to be in compliance with Building Regulations Approved Document Part M, M4(2) guidance. The proposals endeavour to provide residential units in compliance with part M4(2), and confirm that a minimum of 45 units (20%) are in compliance part M4(2) - in accordance with Policy HOU14 of the Local Plan 2030. Of the 223 new residential units, 214 are flats and are all accessible by lifts. There are no affordable rented properties, and therefore no wheelchair accessible M4(3b) homes are proposed.
17. The proposal also includes commercial floorspace comprising 3 commercial units (Units A, B and C) fronting Beaver Road and occupying space on the ground and first floor (units B and C) and lower ground and first floor (unit A).

Some of these will have double floor heights, split with mezzanine floors. A café is proposed at the bottom of the tower element with access from Beaver Road, and a rooftop restaurant is proposed on the 15th and 16th storeys of the tower element of the building with 360 degree views over Ashford. The project intention is to keep the uses of the proposed commercial floorspace units as flexible as possible. The Lower Ground and Ground Floors serve the logistical elements to the scheme being; store, bins, parking, plant rooms etc.

It is anticipated that the development will create a significant number of jobs (greater than the existing number of jobs sustained by the most recent business to operate from the site) with the inclusion of commercial units within the scheme. In total, the proposal will create 516sq m of commercial floorspace at ground floor level and 796sq m of floorspace as part of the proposed rooftop restaurant. The Lower Ground and Ground Floors serve the logistical elements to the scheme such as stores, bins, parking, plant rooms etc.

18. It is anticipated that the development will create a greater number of jobs than the existing number of jobs sustained by the most recent business to operate from the site. Construction jobs will also be maintained or created by the proposed development.



Figure 8 Layout

19. The main part of the development will range in height from 8-9 storeys of residential over entrances and commercial units fronting Beaver Road, and 8-10 storeys of residential fronting Avenue Jacques Faucheux that rises to a 16 storey tower element on the corner of Beaver Road/Victoria Road. However, in effect these buildings sit above the partially sunken two levels of car parking which are in places set well below street level due to the local topography. There is a lower ground floor level also which is largely set below street level which means the tower part of the building includes 17 levels overall. Along the riverside there will be 4 storey townhouses.
20. Materials proposed include red stock brick, yellow stock brick, gold metal coloured balconies, gold metal fins and mesh, black metal mesh/cladding and timber cladding and decorative brickwork with soldier course bands.

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North elevation (Avenue Jacques Faucheu)



West elevation (Beaver Road)



South elevation (riverside)

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South West elevation (Riverside)



North-South Cross Section through Courtyard



Various Cross Sections through Courtyard



7 of the 9 Riverside terraced townhouses and steps



Figure 9 - Impression of proposed development

21. A layby will be provided on Beaver Road for deliveries to the commercial units.
22. The development includes 200 car parking spaces (with 5% being accessible parking), cycle parking and a landscaped quad area in the central part of the site. Visitor parking is not provided on site and car-borne visitors will be able to park in various pay and display public car parks nearby. The site enjoys excellent public transport connectivity, as well as convenient foot and cycleway connections too given its central location and proximity to the Green corridor.
23. The application is accompanied by a number of supporting documents, which are summarised below.
24. [Planning Statement](#)

This is an exciting redevelopment opportunity on an important brownfield corner site within the expanding town centre. The proposed development will deliver a mixed use scheme comprising residential units which vary in size and type as well as flexible commercial space. Its design is striking with a tower element and strong frontage to Beaver Road and Avenue Jacques Faucheux and the development incorporates a significant garden courtyard area to the rear and an appropriate level of car parking provision. Its redevelopment will accord with the key principles of the NPPF and the new Local Plan in terms of sustainability.

On balance, it is considered that the proposed development as a result of its sensitive design and use of materials will enhance the character and appearance of Beaver Road and will make an important and exciting contribution to the regeneration area of Victoria Road and Beaver Road. Therefore, it is concluded that the proposal is in accordance with local and national planning policies and in light of this, we respectfully ask that the application be granted permission.

25. Design & Access Statement

The initial brief was

- To reactivate and respond to the prominent corner location of the site
 - Provide blocks of apartments and town houses with associated parking
 - Street fronting commercial floor space on lower levels
 - A destination restaurant with views over Ashford Town
 - Communal central green space between proposed buildings and attractive landscaping surrounding and connecting to the landscape character, within the immediate vicinity
- To create buildings of high visual interest and high architectural quality

DESIGN EVOLUTION

- Initial Sketch Scheme - There is a roughly designed central green area, with a landscaping buffer to the north and south with building acting as a 'book end' to Victoria Road. designed as two distinct blocks, which allows access and views through to the central green, and breaks up the mass of the buildings.
- Developed Scheme (Presented at Design Review Panel) - The development of the central green space into 'The Quad', which acts as a communal courtyard space with still two distinct blocks of development receded from the river, allowing more space for the soft with parking located underneath 'The Quad'.
- Initial Pre-Application Response This saw detailed floorplans being produced with apartment and townhouse layouts. The 'Quad' was developed further, with larger green spaces, outside seating for a cafe and wider pathway between the townhouses allowing access to the river. Design of the tower was developed as a distinct element from the rest of the block, with the introduction of a destination restaurant on the top two floors.
- Final Site Plan -Concept of the quad has been at the heart of the proposal incorporating both hardscape and greenery. Breaks in the building mass to glimpse inside the proposed development towards the Quad. A stairway from the river's edge linking to the Quad.

The building proposal can be broken into 4 core areas, each responding to their adjacent contexts respectively. The scheme delivers 9 modern town houses close to the River Stour, each respectively paying homage to the etymology of Ashford, the Ash tree by the Ford. The main core of apartment blocks are placed to the north and to the west of the site, each doing their duty in design to respond to their environments. Finally, the proposal rises to the prominent corner, with 360 views over Ashford. The use of the top floor will be to host a restaurant/bar. The proposal also delivers 3 commercial units, some of which will have double floor heights, split with mezzanine floors. The Quad is an element carefully designed around the user's experience and becomes the core to the proposal, tying the different architectural characters together.

The contextual study show buildings that vary in scale, mass and form. This contextual study is expressed within the proposal where each of the individual buildings, respectively respond to their immediate surrounding buildings. The proposals have been designed with consideration of the context of the site, through detailed analysis and respond to the prominent corner location of the site. The buildings are designed to be of high visual interest and high architectural quality. The Design and Access Statement concludes that the proposals are fully acceptable in design and access terms.

26. Transport Assessment

The site will be served from a single vehicular access. This will be located just north of the existing egress from the site and will be provided as a vehicle crossover as requested by KCC Highways. A layby is proposed on Beaver Road to accommodate deliveries and refuse collection.

The existing footway across the frontage of the site will be widened to 3m to provide a shared footway / cycleway, which will route around the back of the proposed layby. To the north of the layby the carriageway will be narrowed by up to 0.5m to allow the 3m wide footway / cycleway to continue to the signalised junction. This will allow for a continuous cycle link between the site and Ashford International Railway Station.

The proposed access arrangements and highway improvements have been subject to a Stage 1 Road Safety Audit, with no issues outstanding at this stage in the design process.

The proposed development is seen to comply with all levels of transport planning policy. The site is located sustainably, with ready access to walking, cycling and public transport infrastructure. Additionally, a high number of services and amenities are located within a short walk of the site.

In total, 200 parking spaces are proposed to serve the residential units. This equates to a parking ratio of 0.9 spaces per unit. The spaces will be unallocated and therefore their use will be flexible. No onsite parking provision

is proposed for the commercial uses, as agreed with KCC Highways during pre-application discussions. Reviewing local Census 2011 car ownership data confirms that within the vicinity of the site, average car ownership is 0.86 per dwelling. Therefore it is considered that the proposed provision will be adequate to meet the demands of the site. Furthermore, it is not considered that there is significant opportunity for overspill parking to occur within the immediate vicinity of the site.

Highway safety within the surrounding area has been reviewed using the latest three-year Personal Injury Accident data from Kent County Council. It has been established that the incidents recorded during the study period resulted primarily from human error. Given this, together with the limited increase in vehicle trips that the site will generate, it is considered that the proposed development will have no adverse impact on highway safety.

The residual trip impact of the development proposals has been calculated. In total, the development is expected to generate an additional 55 vehicle trips during the morning peak hour and 70 vehicle trips in the PM peak hour when compared with the existing use of the site. This equates to approximately one additional vehicle movement per minute during the peak hours.

The impact of this increase on the Beaver Road / A2042 / Victoria Road signalised junction and the A2042 / Elwick Road / Station Approach signalised junction has been tested for the 2024 future year scenario using LinSig software. Whilst it is acknowledged that these junctions operate over capacity at the current time, it is not considered that the development proposals will significantly impact the operation of the local road network. The trips associated with the development proposals lead to an increase in network delay of up to five seconds in the AM and 19 seconds in the PM peak hour compared with the Do Nothing scenario. The biggest increase in queueing on any one arm as a result of the development flows is six vehicles on the A2042 southbound arm during the PM peak.

A Draft Travel Plan has been produced to support the application. This sets a target of reducing private vehicle trips at the site by five percent within five years of occupation, and sets out a number of initiatives which could be implemented to achieve this. A full Travel Plan will be produced following occupation of the development, once base travel surveys have been completed.

Given the above, it is not considered that the development proposals would lead to significant or 'severe' impacts on the local highway network. There should therefore be no sound transport-based objections to the proposals.

27. Flood Risk Assessment & Surface Water Drainage Strategy

The proposed site is shown to lie partially within the medium probability flood risk area (Flood Zone 2) according to the Environment Agency (EA) flood

maps. EA flood data has been requested and will be provided upon receipt. The site is at low risk of flooding from off-site surface water. Other flood risks to the site have been assessed as low and the site is therefore considered to be at low risk from all sources of flooding. Infiltration is unlikely to be suitable for the development due to the proximity to the local watercourses and existing ground strata. However this should be investigated further during the detailed design stage. It is proposed to restrict the discharge rate from the site to provide a betterment over the existing scenario. Discharge locations into the river should be designed to replicate existing locations where possible. Further opportunities should be investigated to incorporate SUDs into the development where practicable. These can provide the benefits of slowing the discharge of surface water run-off, removal of pollutants from the run-off and providing ecological benefits to the development. Careful thought should be given to the levels design on the site in accordance with normal good practice to ensure that there is no likely flooding caused by overland flow and that any overland flow is directed around buildings in the event of a failure to the piped drainage system.

28. Technical Noise Assessment

MLM Consulting Engineers Ltd has been commissioned by Betteridge & Milsom Limited to assess the impact of noise in support of a planning application for a residential development on Beaver Road, Ashford; currently comprising a commercial warehouse and associated car parking facilities.

This Report presents an Initial Noise Risk Assessment for the proposed development, carried out in line with Stage 1 of Professional Practice Guidance (ProPG) – Planning & Noise, in order to assist with the development of the illustrative masterplan. Following development of the masterplan, this Report will be updated to include an Acoustic Design Statement (ADS) in line with Stage 2 of ProPG.

The Assessment is based on a detailed Environmental Noise Survey undertaken at the site and surrounding area, to inform the subsequent noise modelling exercise and acoustic Assessment.

From the initial noise risk Assessment, it can be concluded that the majority of the proposed development site is subject to high noise levels. Considering the built form of the proposed development, the majority of the site is considered to be suitable from a noise perspective, but it will be important to ensure that a good acoustic design is adopted in order to avoid any adverse noise impacts.

29. Air Quality Impact Assessment

Potential air quality impacts during the operational phase of the Proposed Development have been predicted using dispersion modelling. The protocol issued by ABC has been followed in assessing the potential impacts of the proposed development. Emissions from the traffic movements on surrounding

road network during the operational phase of the Proposed Development were included. The results of the dispersion modelling show that the air quality impacts of the proposed scheme are 'Negligible' with regards to sensitive human receptors.

Based on the detailed dispersion modelling undertaken for the Proposed Development, the air quality impacts during the operational phase are considered to be 'Not Significant' for all modelled receptors, including existing residential properties along Beaver Road

A qualitative assessment on the construction phase activities has been carried out. The risk of the different activities towards dust soiling was 'High to Medium', and that for the human health impact was 'Low'. Following implementation of the appropriate mitigation measures as outlined in the report, the impact of emissions during construction of the Proposed Development would be 'Not Significant'.

An emissions mitigation assessment following the Kent & Medway Air Quality Partnership guidance has been undertaken. Damage cost calculations have been undertaken to assist with identifying appropriate mitigation measures in consultation with ABC.

Air quality constitutes a material consideration in the determination of planning applications. However, with the effective implementation of proposed mitigation measures, it is considered that air quality should not present a constraint to the granting of planning permission for the Proposed Development

30. Wind Microclimate Desktop Assessment

Following identification of all external spaces relevant to pedestrian wind comfort, a total of 23 key locations were established for consideration in this study; seven were at ground or at lower ground level and the remaining 16 were above ground level, including six at podium level. No analysis has been done on the top two floors of the tower element which host a commercial area. This choice is based on the assumption that all the glazing elements have been considered fixed and not openable.

The analysis followed the Lawson Criteria LCC assessment which relates to establishing the probability of exceedance of assigned wind thresholds for each location considered. The thresholds are established according to the use of the space and are described in detail in Section 3.

The analysis overall found the following:

1. The development site is considered to be generally sheltered from all wind directions by the surrounding terrain roughness. No locations at ground or lower ground level were found to encounter increased levels of windiness.

2. Ten locations were found to have unacceptable wind conditions for the identified activities.
3. Three of these locations were found to be on the podium garden level. It is expected that these locations will have some allocated sitting areas which makes them particularly sensitive to any increased windiness. This, in addition to the potential for corner-streaming and channelling due to northerly and southerly winds causes slightly elevated wind speeds at these locations.
4. The remaining seven locations refer to balcony locations on the 8th, 10th and 14th floors. The main reason for the increased windiness at these locations is the increased wind speeds encountered at high level.

Mitigation options are discussed and summarized in the report. These relate largely to small-scale mitigation strategies which make use of landscaping, screens, low-level vegetation and balustrades.

31. Sustainability Statement

The Sustainability Statement assesses the proposed development against relevant sustainability standards as well as sustainability policies aims and objectives. The key beneficial impacts of the scheme in relation to sustainability can be summarized as follows:

- Use of previously built-on land;
- Provision of high quality scheme in an area with good access to public transport;
- Provision of residences visually integrated in the surroundings;
- A projected carbon reduction of 5.11% in comparison with the baseline is predicted. This will be achieved by efficient building design, with the use of renewable energy generation;
- Good practice environmental design, including good daylight and acoustics
- Provision of water efficient sanitary ware;
- Minimization of impact on biodiversity and provision of ecological enhancements ;
- Maximization of recycling and implementation of the best practicable environmental options for non-recyclable residual waste; and
- Adherence to sustainable construction site management practices including:
 - Sourcing timber from reclaimed, reused or responsible sources;
 - Developing and implementing a Site Waste Management Plan (SWMP); and
 - Reducing environmental impacts of the construction site.

The sustainability strategy described in this report sets out the proposed measures and commitments that have been and will continue to be incorporated into the design development process, the construction and operation of the buildings in order to optimize its environmental performance

and result to a scheme that can be designed, constructed and operated in a sustainable way.

32. Bat Survey

The development can proceed with minimal impact to bats if the mitigation and avoidance measures outlined within the report are implemented. Linear native planting and the installation of a bat box will also enhance the site for roosting, foraging and commuting bats in the long-term.

33. Statement Of Community Involvement

The consultation process for the detailed proposals began with correspondence between the project team, Design South East and Ashford Borough Council. With their initial feedback taken on board, the scheme was presented to the local community at a public consultation event. The project team subsequently reviewed the feedback received to decide on an appropriate way forward. The consultation process has proved a useful exercise in highlighting local issues that may not have otherwise been fully appreciated. These issues have been investigated and addressed through the submitted proposal to ensure that the proposed development will not have a detrimental impact. Comments and suggestions received throughout the consultation process have been taken into account and, wherever practical and appropriate, incorporated into the proposed scheme.

34. Arboricultural Survey

The proposed layout should take into account the following considerations related to trees:

- The proposed layout should seek to retain higher quality trees, particularly those that cannot easily be replaced. Where tree removal is necessary to facilitate the wider regeneration benefits associated with development, a tree replacement strategy could be implemented to mitigate tree loss.
- The proposed layout should take into account the root protection areas of retained trees.
- The proposed layout should take into account the shade cast by trees.
- The proposed layout should also take into account other common potential nuisances resulting from trees including nuisance caused by leaf/fruit drop or honeydew drip and an over-bearing presence of large trees.
- Allowance should be made for future canopy growth of both existing and newly planted trees.

The final design should show service locations and their routing.

If further tree planting occurs within the development site, consideration should be given to species selection (in relation to form and potential size)

and planting locations to ensure their successful integration into the new development. Recommendations for mitigation tree planting may be included in the arboricultural impact assessment, or a more thorough landscaping strategy may be provided by a landscape designer/architect.

Further Information submitted as part of amendments (May 2020)

35. The following amendments and further information was submitted during the course of determining the application:
 - Inclusion of an extended raised table entrance at the site access to reduce vehicle speeds on Beaver Road and allow for a safer environment in which larger delivery vehicles can turn if necessary. The works will come forward through a Section 278 Agreement as part of the access works.
 - A layby will be provided on Beaver Road for commercial deliveries and each individual unit will incorporate refuse facilities for commercial occupants.
 - The project intention is to keep the uses of the proposed commercial floorspace units as flexible as possible.
 - The engineering consultants for the project have confirmed there will be sufficient spare capacity to accommodate additional electric car & bicycle charging points if required at some point in the future. Basic infrastructure in terms of electricity supply can be provided within the proposed cycle store
 - A refuse plan was submitted showing; a refuse vehicle in the layby; a better route between the bin store access doors and the layby; a platform lift; the inclusion of refuse maintenance room; and on site refuse will be managed by a management company.
 - Extraction systems will be devised based on operator requirements.

36. Architectural Amendments

Balconies moved from the east side of the tower to the south to increase the verticality of the tower in comparison to the adjoining lower block.

A tapered base has been introduced to the feature balconies on the north façade of the tower which adds a sculptural element to the tower

Repositioned balconies and glazed elements have been added to the south elevation of the tower.

Window bays revised to become less regimented with increased gold panelling to help increase the play on scale of the tower. By reducing the panelling on the lower half of the tower element gives added interest to the east and west brick facades.

Richer curtain walling on North Elevation with fins brought to the front of the tower for continuity with the west façade and increased visual interest.

Curtain walling for the commercial unit has been carried on to the South Elevation with metallic rainscreen cladding with potential opportunity for art work on, external wall of plan room.

Mesh removed and replaced with a 1.1m high powder coated 'feature' picket fence to open up the podium garden area to the public eye from street level. Trees and plants will now be visible on all sides.

Herringbone brickwork detailing has been moved from the top three levels of the tower to lower levels closer to street level to make it more visible.

Additional brick inset areas and panels have been added to the South West Elevation to break up the brick mass of the facade.

Inset brick work added to break up the brick facade on the north elevation.

Efforts have been taken to add interest with varied material/ brickwork detailing and roof lighting to the stair core.

Feature golden mesh and fins have been added to the north and east corners of block 2 to break up the building mass and enhance the façade in this area. This also aids ventilation to the plant room.

37. Supplementary Statement

1. EIA Scoping - The Council screened the proposals under the EIA regulations and concluded that no EIA is required.
2. Highways - Discussions have continued in relation to highway matters and in particular an access strategy for the site in relation to delivery vehicles. As a result of this further liaison, the KCC Highways Officer has agreed in principle to an extended raised table entrance at the site access to reduce vehicle speeds on Beaver Road and allow for a safer environment in which larger delivery vehicles can turn if necessary. A ten metre rigid vehicle can reverse into the site access if required, unload and then turn back north onto Beaver Road. This strategy is considered acceptable in principle (as confirmed by email correspondence from KCC Highways dated 4th May 2020). The works will come forward through a Section 278 Agreement as part of the access works. The raised table will ramp up/down either side of the access junction and will not extend a material distance beyond this. The

arrangement will be subject to a detailed design as part of the Section 278 Application.

3. Loss of employment land - The site is still used by Homeplus and this the only business operating on the site. Due to current COVID19 restrictions, the unit is not currently open to the public. The existing unit measures 1,994 sq.m. Prior to shutdown there were 10 employees (some part time). Notice has been served requiring vacant possession by 1 June 2020. The proposed redevelopment is a mixed use development incorporating 3 commercial units (A, B and C) at ground floor level and a rooftop restaurant. Unit A will be located at the bottom of the tower element close to the residential entrance to the apartments. Unit B will be the largest commercial unit opening on to Beaver Road in the middle section of the block, and unit C will be at the end of the block closest to the vehicular entrance to the site. The rooftop restaurant will be located at the top of the striking tower element with far reaching views over the Ashford skyline. It is anticipated that the development will create a significant number of jobs (greater than the existing number of jobs sustained by the most recent business to operate from the site) with the inclusion of commercial units within the scheme. Construction jobs will also be maintained or created by the proposed development. Therefore this mixed use proposal will create 516sq m of commercial floorspace at ground floor level and 796sq m of floorspace as part of the proposed rooftop restaurant proposal and a potentially significant number of new jobs. Loss of employment land – This sets out the position referred to above regarding the potential to create additional numbers of jobs at the site beyond those associated with the previous Homeplus operation.

4. Amenity Space - The Design and Access Statement details amenity space schedules. The proposed development incorporates private outdoor space for each flat by way of a balcony or terrace area. The proposed townhouses will also have access to a private rear garden space (at first floor level adjacent to the proposed quad as well as a roof terrace area. In addition, all residents will have access to a communal space in the quad area which will be exclusively for residents of the development and their guests. The quad area includes a large landscaped area with informal seating, planters and paths which will provide a valuable area of open space for the new community. Therefore, the proposed development complies with the policy advice in Policies HOU15 and COM2.

5. Uses - The intention is to keep the uses of the proposed commercial floorspace units as flexible as possible. Non-planning regulations such as environmental health measures and licencing to protect local residents in terms of harm to residential amenity such as opening hours and ventilation requirements are cited. A layby will be provided on Beaver Road for commercial deliveries and each individual unit will incorporate refuse facilities for commercial occupants. The applicant would not wish to see units remaining vacant due to restrictions, therefore we would advise against

removing Permitted Development (PD) rights removed as this may reduce the flexibility of uses that could be accommodated.

6. Electric Vehicle Charging – This has been referred to above. The scheme is compliant with KCC and Local Plan requirements. In terms of spare electrical load capacity for additional electric vehicle charging points beyond those already included and/or suitable electrical supply to the bicycle stores for electric bicycle charging points, the engineering consultants for the project have confirmed that the maximum demand load for the site has been assessed to be 1140kVA in accordance with BS.7671 18th Edition of the IET wiring regulations guidance. The UKPN for this supply size to be provided by 2no 630kVA transformers on the site. Therefore the project engineers are satisfied that there will be sufficient spare capacity to accommodate additional electric car & bicycle charging points if required at some point in the future.

7. Electric bicycle parking - As noted above, electrical bicycle charging is managed by load sharing / management equipment which spreads the load across all charge points equally determined by the amount of units in use at any one time to ensure there are no demand spikes or potential current demand overloads. This allows us to set a supply size suitable for the number of charge points required. Basic infrastructure in terms of electricity supply can be provided within the proposed cycle store.

8. Broadband Provision - The applicant will work with providers to ensure superfast broadband is available for the site. The LPA normally impose a condition on the planning consent requiring BT Fibre to be installed.

9. Flooding - Further to the letters of objection with respect to the FRA, a response letter was submitted to the Council by the flood risk engineers dated 24th April 2020 together with detailed section/level drawings of the town houses and section drawings of the proposed sedum roofs. Further comments have been received from EA (dated 1st May) and IDB (dated 27th April). A meeting was held on 7th May 2020 to discuss the remaining concerns which focus on the maintenance of an 8 metre buffer or bylaw zone between the top of riverbank and the built development. During the meeting it was agreed that the 8m riparian buffer zone is appropriate in this case as current legislation and guidance refers. The 10m riparian buffer zone is something to note as future policy and is not a statutory requirement. Use of the topographical survey to establish the top of bank measurement is appropriate. Consultees were happy with the explanation regarding the existing situation and proposed development. No built structures are proposed within the 8m buffer zone, only paths and planters are proposed. Fencing and the erection of structures can be restricted with the withdrawal of permitted development rights. Project team includes landscape architect and ecologist and we are keen to work together with statutory consultees to achieve a landscaping plan and management plan which enhances biodiversity. It was agreed that there is significant potential to improve the existing site and its river frontage with a sensitively designed scheme. It was also recognised that the frontage will be

used fairly infrequently only by residents and not the general public. We also believe that it will be better maintained as it is proposed rather than being left separated at the edge of the development. In addition, we are confident that biodiversity enhancement can be achieved for this section of the riverbank through soft landscaping measures. The Japanese Knotweed will be removed and the area reinstated with native planting carried out in accordance with a long term maintenance and management plan making the area much more attractive and biodiverse as a planting corridor.

10. Waste/refuse - With regards to matters of waste/refuse, a meeting with Environmental Health Officers was held on 28th April to discuss refuse matters. A refuse strategy plan (Drawing No. 18.030.SK030 rev D) has been submitted showing the refuse vehicle in the layby, the route between the bin store access 5 doors and the layby (10 metres distance), the levels at the top and bottom of the ramp, the platform lift and the location of the refuse maintenance room. Refuse will be collected from the town houses by the management company and taken to the communal refuse store. The management company will also bring the bins to the top of the slope where they will be collected by the contract company.

11. Townscape visual impact - A series of non-verified views were submitted in January 2020 showing the scheme in relation to Beaver Road, Victoria Road and Avenue Jacques Faucheux. It is clear that there are a number of current proposals for tall buildings within Ashford which, if granted consent and implemented will cumulatively have an impact on the townscape.

12. Food preparation/smells/extractions etc. - Extraction systems will be devised based on operator requirements. At the current time it is not possible to predict/provide as operators are not yet on board.

13. Play Areas - Distances to the nearest play area were to be assessed.

14. Accessibility There are a total of 223 'new build homes', therefore a minimum of 45no. units (20%) need to be in compliance with Building Regulations Approved Document Part M, M4 (2) guidance; we have endeavoured to design all residential units in compliance with part M4 (2), and confirm that a minimum of 45no. (20%) are in compliance part M4 (2) - in accordance with items 4.3.10 and 4.3.11 of DHAs Planning Statement, and Planning Policy HOU14. Of the 223 new residential units, 214 are flats and are all accessible by lifts. There are no affordable 'new build properties', and therefore no wheelchair accessible M4 (3b) homes. As we understand it the 16no. Design Criteria for the Lifetime Homes Standard have been fully incorporated into Building Regulations Approved Document Part M.

15. 14. Accessibility – This is reported earlier in this report.

15. Tree planting - It is understood that the Case Officer was to check– Further assessment undertaken to establish tree locations that would be in the best location to offset areas of potential higher wind turbulence.
16. Planning Obligations – this matter is discussed elsewhere in this report.
17. Sustainability - energy efficiency targets for the building are to be clarified.
18. Space Standards – Confirmation that all of the proposed balconies are oversized against minimum standards. There are 16 north facing flats (7.5% of the 214 flats).
19. Materials - The CGI images and the material precedent images in the DAS will be utilised at the virtual planning committee meeting to demonstrate to Members the materials proposed to be utilised. Materials - Materials proposed include red stock brick, yellow stock brick, gold metal coloured balconies, gold metal fins, black metal cladding and timber cladding.

38. Flood Risk & Drainage Strategy

In response to concerns raised about flood risk matters, further work was undertaken by the applicant to demonstrate the compliance of the scheme with the relevant Local Plan policies. This involved a consideration of the design against the flood risk guidance from the EA, in particular around the height above potential flood levels of habitable rooms, especially bedrooms. Alongside this, the applicant undertook a flood risk sequential test in line with policy to establish whether there were similar sites available to accommodate this form of development located within a lower overall area of flood risk.

The outcomes of this work is reported in the Assessment section of the report below.

39. Highways Access Strategy

The proposals will now include a raised table arrangement at the site access to reduce vehicle speeds on Beaver Road and allow for a safer environment, in which larger delivery vehicles can turn if necessary. This reflects earlier conversations which have also taken place between ourselves and the Council (ABC) officers.

A 10m rigid vehicle can successfully reverse into the site access, unload and then turn back north onto Beaver Road, in the direction from which it came.

This strategy is deemed acceptable as it will allow any larger vehicles to turn in the site access, in a low speed environment and then travel back north i.e. away from the bus gateway to the south.

It is proposed that the above will come forward through the relevant S278 agreement as part of the access works. The raise table will ramp up / down either side of the access junction and will not extend a material distance beyond this. The attached plan also shows an indicative layout of the raised table arrangement, which will be subject to detail design.

40. Refuse Strategy

- The refuse store has been increased in size to approx. 431 sq. m to address previous comments by the refuse team.
- Refuse Extract Drawing has been prepared showing ramp and freight platform lift as well as dimensions (see SK030 rev B).
- Ramp has a 1:16 or 4 degree slope. Originally ramp was amended to 1:12 but has subsequently been amended to 1:16 which is a further improvement.
- Floor level at the bottom of the ramp is 37.385 metres
- Floor level at the top of the ramp is 38.625 metres (i.e. level difference of 1.240m). Ramp distance is 11.788 metres in total.
- Landscape area to the front of the site can be modified to include a direct route from the bin store to the layby to reduce distance of pull for bins (as shown on Refuse Extract Drawing).
- Distance from bin doors at top of ramp to layby for refuse vehicle to pull up/park is 10 metres via direct route.
- Refuse to be collected from town houses by management company and taken to communal refuse store
- Management company to bring bins to top of slope where they are collected by contract company
- Cleanliness of bin store will be maintained by the Management Company. Bin store includes an adjacent bin maintenance room.

Other Points to Note:

- The size of the bin store has been increased to take account of original Environmental Health comments.
- There is the capacity for the provision of a platform lift as well as a shallow (1:16) ramp for transporting bins from the lower ground bin store to the ground floor. This is the belt and braces approach and recognises lift limitations. The gradient of the ramp has been improved since original submission.
- Environmental Health previously noted that the pull distance for an 1100 litre bin is 10 metres at a gradient of 1:12.
- A direct drag route across from the bin store doors to the layby for the refuse vehicle to park which measures 10 metres can be created. The

Management Company would bring the bins to the top of the slope where they are collected by the contract company.

- The Management Company will manage and maintain the cleanliness of the bin store and has been provided with a maintenance room for the bin store.

41. Television, Wi-Fi And Radio Reception Impact Assessment

A desktop-based study and baseline reception survey have been performed to assess the possible effects and impacts on the reception of television and radio broadcast services from the proposed Beaver Road development in Ashford.

Digital Terrestrial Television (DTT) – Freeview - The proposed development could cause disruption to the reception of digital terrestrial television services within 150m to the immediate west of the site.

Digital Satellite Television - Freesat & Sky -The proposed development could cause disruption to the reception of digital satellite television services within 112m to the north-northwest from the base of the tallest element. A simple and cost-effective mitigation solution is to relocate the satellite dish to a new location where the view to the serving satellite is not obscured by the obstruction.

VHF (FM) Radio - the Proposed Development is not expected to affect the reception of VHF (FM) radio services.

Wi-Fi - Due to the technical nature of Wi-Fi system and network architecture and operation, the proposed development is not expected to affect the functioning of local Wi-Fi networks.

Overall, the proposed development may cause minor short-term interference to digital terrestrial television reception to areas to the immediate west of the site and interference to digital satellite television in similar areas. Mitigation solutions exist that will quickly restore the reception of affected television services, leaving no long-term adverse effects for any viewer.

Planning History

18/01315/AS Removal of condition 1 on application 95/1530/AS to allow opening time of catering van to change from 6pm to 1pm. *Disposed of undetermined.*

14/01344/AS 8 x non-illuminated signs on north elevation. *Consent granted*

- 08/01171/AS An advertisement application for the display of 8 non-illuminated panel advertisements (retrospective). *Consent granted*
- 03/01289/AS Car sales. *Permitted*
- 03/00330/AS Use of former repair centre building and 15 car parking spaces in car park for car repairs (retrospective). *Withdrawn.*
- 02/01908/AS Application for various signs on front, side and rear elevations (retrospective). *Split decision for adverts.*
- 02/01816/AS To sell furniture, household goods, giftware and seasonal products e.g. Christmas, gardening etc. *Disposed of undetermined.*
- 95/01530/AS Catering trailer. *Permitted.*
- 94/01102/AS Car park for up to 150 cars including use of existing B&Q undercroft car park. *Temporary permission.*
- 88/00298/AS Temporary permission for a container to be located on the forecourt. *Temporary permission granted.*
- 83/00803/AS Change of use to allow in addition to use for 'the sale of home maintenance and home improvement materials', an external and internal garden centre with elevational changes. *Permitted.*

In terms of applications in the surrounding area including Victoria Road, the following applications are considered to be of relevance:

- 18/00724/AS Proposed minor material amendments to planning permission 16/01164/AS for a 120-bedroom hotel involving minor changes to layout, the provision of an additional storey and related elevation changes with associated parking, landscaping and access works. *Permitted July 2018.*
- 17/01759/AS Proposed minor material amendments to planning permission 16/01157/AS involving design changes to Phase A2 (x3 commercial units) and Phase A3 (216 residential units) with associated parking, substations, landscaping and access works relating to land south of Victoria Road only with no design changes to the approved development of land north of Victoria Road for the purposes of a brewery with shop, bar and restaurant (use classes B2/A1/A3/A4). *Permitted April 2018.*
- 16/01157/AS Full planning application for development of a brewery, with shop, bar and restaurant (Use Classes B2/A1/A3/A4), three commercial units (Use Classes A1/A2/B1) and 216 residential units with associated parking, substations, landscaping and access works.

Permitted April 2017

- 16/01164/AS Full planning application for a 120 bedroom hotel and associated parking, landscaping, substation and access works. *Permitted April 2017*
- 16/01167/AS Full planning application for a superstore (Use Class A1) with associated parking, substation, landscaping and access work. *Permitted April 2017.*
- 16/00981/AS Full application for erection of 31 residential apartments with car parking associated access and Landscape. *Permitted June 2017.*
- 16/00986/AS Full application for demolition of existing building and erection of 28 residential apartments with car parking associated access and Landscape. *Permitted June 2017.*

Consultations

Consultation responses are reported in two sections – firstly on the scheme as initially applied for and then on the amended version.

SCHEME AS DEPOSITED

Ward Members: No comments have been received.

Neighbours/Residents

As well as pre application consultation, extensive site notices and a press notice advert placed in the Kentish Express, seven neighbours have been consulted. 1 letter of support has been received, 1 letter making general comments has been received and 4 letters of objection have been received.

Support

1 letter of support was received from resident of Willesborough which stated support for application providing adequate thought has gone into the additional traffic on this already extremely busy junction.

General Comments

1 general comment letter was received from a resident of Kingsnorth which raised the following points;

- Not clear whether these apartments would be for sale or rent (private or public).
- Strongly believe that at least 50% of any new residential development should be rentals with either the council or a housing association as the landlord. The remainder should be designed to be affordable to low income families (i.e. sub £30k household income).

- Given the location of the proposed development, the majority of the properties should be occupied by low income families who would benefit from the proximity to the town centre and related amenities.

Object

4 letters of objection received from Ashford residents. The planning issues raised about the application can be summarised as follows.

- Town is being hemmed in by tall blocks of flats.
- Any redevelopment of this area needs to be more sympathetic and not to create the tallest building in Ashford.
- Why do we need a 16 storey building in Ashford? The current tallest building in Kent is the university library at 12 floors. This will scar the skyline of Ashford.
- I can see the building across the road from my home do I really want to look at an enormous tower block which dominates the skyline and dwarfs all the surrounding traditional homes and work places.
- This building is ghastly and you are destroying any remaining character the town had.
- Some sense needs to be put into this application, smaller building and something that actually looks nice, not an ugly monstrosity.
- I wholeheartedly disagree with this planning application. An already busy junction that's heaving with traffic, coupled with an ugly tower block is not what Ashford needs.
- How is this busy and sometimes gridlocked junction going to cope with yet more traffic? The current flats being built are not even occupied yet and already the junction at busy times is congested.
- As for the retail units - why?! They are totally unnecessary when the outlet expansion is still not fully let, the retail units by the cinema are empty and the high street is full of vacant shops.
- The infrastructure of Ashford is falling over as it is, the shared space needs redesigning and re-laying.
- Where are the children going to go to school, the local primary school is only one form entry and full.
- Where will these people be working and spending their money, the children to be schooled in already overcrowded schools.
- What provisions are being made for our health services? No one seems to be bothered that not only is Ashford expanding rapidly but also the surrounding villages and yet we see no extra hospital capacity, doctor's surgeries or dentists to support this growing town. These planning decisions are eroding the levels of care in this community.
- Please think more carefully about the residents who already live here!
- What is the council's vision? You seem to be aiming for the ugliest town in Kent. You seem to ignore the local population and what it needs or wants and only to want to bring in wealthy people who commute.
- You raise the business rates forcing out shops. The town centre is a pig's ear. I should be able to pop into town to buy things but there is nothing there anymore.

Central Ashford Community Forum – comment as follows:-

- 1) Happy to see development occur on this brown field site and believe the right development will be greatly beneficial for Ashford but have some specific concerns about this proposed Ashford Borough Council development.
- 2) Most significant concern regards the economic feasibility of the development. With so many other flats being built in and around the proposed area for development, we are concerned that the market may be saturated prior to the completion of these units and they will not be profitable. As this is not a commercial development proposal, but instead an Ashford Borough Council development, the financial risk for this development lies with the residents of Ashford. As such, a higher level of scrutiny to the financial risk associated by this development is warranted. To that end, the Central Ashford Community Forum request the council completes a financial model for this development and that financial model is made available to the residents of Ashford and specifically the CACF for review and comment prior to this application proceeding.
- 3) Concern is with the design, specifically the height and bulk of this development which we feel is not in keeping with the design aesthetic of Ashford in general or the surrounding developments specifically. We would once again, like to reiterate our desire for Ashford Borough Council to develop a tall building policy. Until such a policy is created and adopted, we will continue to ask that no proposed application be approved that exceeds the current highest building approved for Ashford, which is 14 storeys. Additionally, with respect to design, we feel more attention needs to be given to providing access to the river and the aspects of the development which face South Ashford. We would like to see a 360 degree design philosophy applied to developments near the centre of town, noting that it is important that they look appealing from which ever direct they are approached.
- 4) Concerned with a development being proposed that falls short of the parking requirement as put forward by the Ashford Borough Council policy TRA3 (a). This policy was created to ensure that adequate parking provisions accompanied development. Specifically, "This standard takes account of local circumstances including car ownership data (and future assumptions), historic problems of insufficient parking facilities in central areas and ensures that sufficient parking spaces are delivered to support development in this location." If this plan is approved without adhering to the parking policy we will quickly find ourselves revisiting the historic problems of insufficient parking facilities.

(SPM comment – the issue raised regarding financial risk in point 2 above is not a material consideration for the Planning Committee. The applicant has not submitted a Viability Statement in support of the application).

South Ashford Community Forum:-

- 1) Support development on brownfield sites and acknowledge the benefits of higher density development in locations close to the town centre.
- 2) Do not object to the height of the corner block, but the overall effect on Beaver Road creates excessive massing. The roof level of the Beaver Road block should be no greater than that of the residential block of the 'Victoria Point' development

opposite. A stepped roof line similar to the earlier iteration of the proposals shown on page 24 of the Design and Access Statement would also help to alleviate the massing.

- 3) Support the low rise development on the river frontage.
- 4) Have concerns regarding the viability of the roof top restaurant; hence question how the space would be used if not occupied for its intended purpose.

Environment Agency:

1st set of comments

- 1) Objects to the application due to uncertainty over the proximity of the townhouses to the adjacent watercourse and the unknown use and minimum floor level of the lower-ground floor with respect to the predicted maximum flood level in the river. Requires the applicant to provide clarification of the minimum floor level in relation to the level of the maximum predicted and climate-change adjusted flood level. Also requires further clarification on the distances between the river bank and development, with further information provided on the intended treatment of the river corridor.
- 2) Objects to the proposed development because there is an inadequate buffer zone to the water course. Recommends that planning permission should be refused on this basis.

2nd set of comments

We maintain our OBJECTION due to insufficient information being provided to satisfy us that this development will leave an adequate buffer zone to the water course. We recommend that planning permission should be refused on this basis.
Fisheries, Biodiversity and Geomorphology -The proposed development would have an adverse impact on the Great Stour as it impinges on the river corridor, and is contrary to the adopted Local Plan Policy ENV2 - The Ashford Green Corridor
Flood Risk - The specific use of the lower ground-floors of the town-houses adjacent to the Stour remains unclear, as does the nature of any other development within 8m of top of the bank to the river.

Kent Fire and Rescue: The means of access proposed on site is considered satisfactory.

Kent Police – Required meeting to discuss ‘designing out crime’ with the planning officer. Unable to fully assess the application prior to a meeting. (*Subsequent comments reported below*)

Southern Water

Impact on existing sewers

- 1) The proposed development will lie over an existing public combined sewer which will not be acceptable to Southern Water. The exact position of the public combined sewer must be determined on site by the applicant before the layout of the proposed development is finalised.

- 2) It might be possible to divert the sewer, 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.
- 3) The public sewer requires a clearance of 3 metres on either side of the sewer to protect it from construction works and to allow for future access for maintenance.
- 4) No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- 5) No new soakaways should be located within 5 metres of a public sewer.
- 6) All existing infrastructure should be protected during the course of construction works.
- 7) Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. If the applicant would prefer to advance these options, items above also apply.
- 8) In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached requiring the developer to advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.
- 9) Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
- 10) SW believe there is an increased risk of flooding unless any required sewage network reinforcement is provided.
- 11) Southern Water and the Developer will need to work together in order to review if the delivery of the sewage network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.
- 12) Southern Water request a condition to be applied regarding occupation of the development to align with delivery by SW of any sewerage network reinforcement.
- 13) It may be possible for some initial dwellings to connect pending network reinforcement. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required.
- 14) Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable them to establish the extent of works required (if any) and to design such works in the most economic manner to satisfy the needs of existing and future customers.
- 15) The applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities.
- 16) Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.
- 17) Wastewater grease trap should be provided on the kitchen waste pipe or drain installed.
- 18) The design of the proposed basements and onsite drainage system should consider the possibility of surcharging within the public sewerage system in order to provide the protection from the risk of flooding.

Network Rail: No objections raised.

NHS East Kent CCGS – The proposed development would have a significant impact on the provision of general practice services which will require mitigation through the payment of an appropriate financial planning contributions.

Stagecoach: Walking route to the closest bus stops requires crossing at least two busy roads and navigating the Beaver Road / Victoria Road junction, which is not consistent with Policy TRA4. Recommends that a further pair of bus stops are provided on Beaver Road, in between the junction and the bridge over the Great Stour.

River Stour IDB

1st comment Supports comments made by Environment Agency and KCC Flood & Water Management. Essential that a full 8m margin must be retained alongside the adjacent River Stour to allow for routine maintenance and to support local wildlife & biodiversity. Considers the maximum discharge rate proposed on site to be wholly unacceptable.

2nd comments - My email of 12 December agreed with and supported objections made by the EA and KCC in respect of two issues: (1). That a full 8m riverside margin must be retained to allow for river maintenance and to support biodiversity and (2). Surface water runoff from the site should be restricted to 4l/s/ha in accordance with ABC's SuDS policy. If this is not possible the discharge rate should be reduced as much as is practicably possible.

I am pleased that the applicant has included green roofs but feel that more could be done to help reduce downstream flood risk. The final 'SuDS' should be agreed with KCC SuDS team. If this opportunity is missed (or not fully investigated) it will be a long time before the site is redeveloped again.

KCC Ecology –

Advise that additional information is sought prior to determination of the planning application.

1) Concern about the proximity of the proposed development to the Great Stour Local Wildlife Site boundary. Without adequate landscaping along the boundary, degradation may occur to the LWS from pollutants (noise and light), invasive garden species and recreational pressure once the dwellings are occupied. Advises that further details are provided regarding the dimensions of the vegetated 'buffer-zone' along the LWS boundary, as well as the proposed future management of the area, prior to determination of the application.

2) Bat activity was recorded in the area, therefore consideration must be given to the external lighting of the development. To mitigate against potential adverse effects on

bats, suggests that the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting' is consulted in the lighting design of the development.

3) Encourages the implementation of enhancement for biodiversity including bat boxes, native planting, and green roofs.

After seeking further information further comments were received on (1/4/20)

1) Local Wildlife Site – the precautionary measures need to be committed to within a separate Construction Environmental Management Plan (CEMP) condition.

Operational phase safeguarding measures can be secured within the ecological enhancement plan.

2) Bats & Lighting – condition recommended based on Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting'.

3) Invasive species- the ecology report notes the presence of both Japanese Knotweed and Cotoneaster (invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), within the proposed development site. we advise that the controlled removal of this species on-site is subject to a condition, should planning permission be granted.

4) Ecological Enhancements - Recommend condition to secure enhancements.

KCC Development Contributions, Economic Development – Concludes that the development would have an additional impact on the delivery of community services, which will require mitigation through either direct provision of infrastructure or the payment of a financial contribution. Consultee provided detailed breakdown of suggested financial contributions in their consultation response, focusing on: primary education; secondary education; community learning; libraries; youth services; social care; and waste.

KCC Heritage, Environment & Planning: Application site lies within an area with potential for remains associated with Early Prehistoric activity – recommends a condition is applied that requires appropriate archaeological field evaluation works and further archaeological investigation.

KCC Flood and Water Management:

1st comments

- 1) Recommend that green roof & permeable paving SUDs elements are incorporated into the drainage strategy;
- 2) Recommends holding the application until appropriate discharge rates for the surface run-off discharge into the watercourse is established.

2nd. Comments

- Given the methodology is based upon the existing impermeable area and the identified outfalls from the site, we will accept the discharge rate calculated;
- The drainage strategy does not comply with the paragraphs of the NPPF. We recommend a holding objection to assess whether this approach is acceptable given Ashford's planning requirements.

- The reliance on below ground attenuation storage results in the need for a pumped system. The system as proposed does not constitute a sustainable drainage approach.
- We have previously commented that consideration should be given to the inclusion of a green roof but no response has been provided on this matter.

KCC Highways & Transportation:

1st Comments

- The proposed layby to accommodate deliveries and refuse vehicles will need to be subject to a Traffic Regulation Order to ensure it is used for service vehicles only;
- Applicant to confirm how delivery vehicles can turn around on Beaver Road;
- Planning condition needed to require the applicant to submit an application for the required TRO prior to commencement of development;
- Proposals to widen the existing footway across the frontage of the site to 3 metres to provide a shared footway / cycleway are supported. Works will be subject to a Section 278 Highway Agreement with KCC Highways and Transportation
- Stage 1 Road Safety Audit and Designer's Response is satisfactory
- parking provision at 200 spaces for the 223 residential units equates to a parking ratio of 0.9 spaces per unit and is acceptable given the extremely sustainable location of the site within very close proximity of Ashford International Station and bus stops on the Beaver Road bridge
- No on-site provision is provided for the commercial units which is acceptable given that there is a multi-storey car park to the rear of the application site which visitors to these premises could use.
- Electric vehicle charging spaces acceptable should be further provided as part of a suitably worded planning condition.
- Cycle parking provision is acceptable for the residential units and the commercial / restaurant units
- All trip generations and assignment are acceptable.
- Mitigation scheme required capacity improvements to the Beaver Road arm of the Beaver Road / A2042 / Victoria Road junction as a result of the proposed development;
- There are also current safety issues with this junction with traffic blocking the junction as a result of queuing from the station access signal junction. It is felt that a box junction at the Victoria Road / Beaver Road junction will prevent any further blocking of this junction and should be provided as part of this development.
- Require submission of a draft travel plan with measures to seek to reduce private car usage associated with the proposed development.

Follow up comments (4/12/19)

- Again highlighted it is not acceptable for vehicles to turn around at the site access point given the nature of Beaver Road. A turning area therefore needs to be provided within the site and be tracked for a small rigid goods vehicle.
- Again stated the proposed development will impact negatively on the operation of the Beaver Road arm in the AM peak period
- Proposing a mitigation scheme at this junction but it needs re-modelling with this potential mitigation scheme so that KCC Highways and Transportation can understand whether or not this amendment can mitigate the impact of the proposed development.
- The travel plan should be amended to include a commitment for each household to have the option of a cycle voucher or a free 3 month bus pass.
- Travel Plan and measures in it should be secured through the proposed Section 106 Agreement together with a £5,000 monitoring fee (£1,000 per annum over a 5 year period) so that KCC Highways and Transportation can effectively monitor the travel plan.

ABC Cultural Services

Public Open Space contributions

Cultural Service advised the sports contributions should be:

Outdoor

Capital cost	£62,760
Maintenance cost (10 years)	£89,430
Changing rooms	£87,495
Total	£239,685

Indoor

Facility Requirements: Total

Artificial Grass Pitches	
Demand adjusted by	0%
Pitches	0.01
vpwpp	8
Cost if 3G	£12,792
Cost if Sand	£11,565

Sports Halls	
Demand adjusted by	0%
Courts	0.11
Halls	0.03
vpwpp	32
Cost	£77,883

All public open space is to be provided off site.

	Capital contribution for off-site provision	Commuted maintenance sum for the development
Sport - outdoors	Calculated by Policy using Sport England calculator	
Informal/natural	71,610.00	53,790.00
Play	107,085.00	109,395.00
Allotments	42,570.00	10,890.00
Strategic Parks	24,090.00	7,755.00

The above comments on the level of contributions for open space should not be taken to indicate that Cultural Services will approve the scheme. Contributions are calculated as per the Public Green Space and Water Environment SPD 2012.

Potential projects:

- Outdoor sport capital: Ashford Borough Council are seeking contributions towards delivery of the Playing Pitch Strategy.
- Informal/natural: Contributions towards improvements to the Green Corridor, as outlined in the Green Corridor Plan for the borough.
- Play: Contribution towards a project for a proposed play space in the town centre, Ashford.
- Allotments: Contributions are sought towards proposed community garden and community allotments at Torrington Road, Ashford.
- Strategic Parks capital: Ashford Borough Council are seeking contributions towards improvements at Conningbrook Lakes Country Park, Ashford.

Requirement for Cultural Improvements

- A contribution is required for off-site contribution towards the arts sector: £55,850.10. The contribution will be towards arts programming in the town centre of Ashford.
- A contribution is required for off-site contribution towards the voluntary sector: £14,358.63. The contribution will be for an environmentally aware land management type group which can demonstrate working with volunteers.
- A contribution is required for off-site contribution towards a community facility: £308,764.90 capital, £87,196.46 maintenance. The contribution will be towards a community space at the Stour Centre, Ashford.
- Cultural Services will accept deferred contributions linked to the delivery of the scheme.

[See officer assessment section regarding contributions]

Comments on the proposed layout (Open Space / Landscape) –

- The development provides very limited opportunity for genuinely useable public open space, and therefore all public open space is requested off site.
- Fully support conditioning the landscaping, but also working with a key partner organisation such as Kentish Stour Countryside Partnership so that the riverside landscape can be enhanced to the maximum benefit for the Green Corridor.
- The landscape plans do not appear to have considered the recommendations made within the Green Corridor Plan, with only provision of a wildflower meadow adjacent to the river corridor. This will have limited ecological benefit, and there

is therefore potential for improvement to the landscape plan in terms of increasing the ecological value of the whole site.

- The developer should work closely with an organisation such as Kentish Stour Countryside Partnership, so that the river corridor landscape can be improved and invested in provide a multi-functional landscape that residents can benefit from.
- More consideration needs to be given to the landscaping to the south east corner where it wraps around the building. The aerial view north illustrates a tree filled landscape, and this is not reflected in the landscape planting plans
- The open space has limited opportunity for recreation and is unlikely to be frequented by residents not attached to the development

ABC Environmental Protection: No objections raised.

Contaminated land - no objections. Standard conditions E023 and E026 should be applied, which require a contaminated land investigation and watching brief to deal with any unexpected contamination encountered. Part 1 (desktop study) of E023 has been satisfied by the report submitted.

No objection to the submitted report, and welcome the submission of the detailed design information specifying the chosen glazing, ventilation, and wall construction to meet the sound performance requirements as detailed in the submitted report.

Welcome a condition requiring the submission of details with reference to any proposed plant (air-con, air handling, kitchen extract, etc.) that may be installed as part of the development. Further details of the separating floors between commercial and residential uses should be provided in order to confirm that sufficient levels of insulation will be provided to prevent conflicts between commercial and sensitive occupants.

Any changes are made to the energy strategy, this may need to be revisited for further dispersion modelling.

Request the following informative as part of any consent granted:

"The applicant should note the code of practice hours in relation to potentially noisy construction/demolition activities which are 0800-1800 Monday to Friday, and 0800-1300 hours Saturday. Noisy works should not occur, in general, outside of these times, on Sundays or Bank/Public Holidays.

In addition, the applicant should note that it is illegal to burn any controlled wastes, which includes all waste except green waste/vegetation cut down on the site where it can be burnt without causing a nuisance to neighbouring properties.

Finally the applicant should take such measures as reasonably practical to minimise dust emissions from construction and demolition activities and for that purpose would refer them to the IAQM guidance on controlling dust on construction sites."

We note that the development includes residential dwellings. To promote the move towards sustainable transport options and to take account of cumulative impacts of development on air quality we would request the application of the standard condition to provide electric vehicle charging facilities etc.

Requests that the standard condition with respects to providing a construction management plan is applied. In particular we request this for the purposes of ascertaining the; measures to minimise the production of dust on the site(s), measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s), maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s), measures to minimise the potential for pollution of groundwater and surface water, and the arrangements for public consultation and liaison during the construction works, recognising that some of this work has been started in the AQ assessment submitted.

ABC Environmental & Streetscene:-

- 1) After reviewing the planning submission, would reject the proposals as the refuse and recycling for apartments, commercial business units and townhouses has not been given proper consideration through due diligence and therefore does not meet standards as set out by the HSE.
- 2) Apartments - Distance from lower ground floor to on street parking bay via a ramp is too far and too steep and do not meet Health and Safety guidance for movement of refuse containers. The contractor will not enter the lower ground bin store to collect containers as does not meet Health and Safety guidelines, to move and return containers.
- 3) Townhouses - The contractor will not collect the refuse and recycling bins from front of property as does not meet Health and Safety guidelines, to move and return containers. There is not access road to the front of the property or turning point large enough for a 26 ton refuse truck.
- 4) Commercial Business Units The contractor will not enter the lower ground bin store to collect containers as does not meet Health and Safety guidelines, to move and return containers.
Raise an Objection based on Social Behaviour in the use of communal bins has not been taken into consideration.
- 5) The bin store need to be moved to the ground floor instead of the proposed lower ground floor losing the commercial aspect of this development.
- 6) There needs to be an agreed refuse and recycling plan in place written by the developer and agreed by the building management team to employ a maintenance team with assisting the contractor on collection day with the movement of bins in and out of the bin store to the presentation point.

- 7) The bin store as well as moving to the ground floor the developer would need to ensure that this room is adequately lighted and ventilated. The Managing agent would have to ensure the bin store is kept clean uncontaminated and free of side waste and debris. This is responsibility of the building managing agents as part of the service charge and the residents under the Environmental Protection act 1990 to manage refuse and present it correctly and safely for collection by the local authority and their contractor.
Is there enough space on the kerb side and would the management company be able to employ staff to do this and still be compliant on health and Safety. Well my answer on this would be no, that's why I suggested a change to a ground floor bin store that avoids the gradient altogether and reduces the risk.
- 8) Health and Safety compliance on moving containers up and down a gradient that would apply to an ABC contractor as well as any Employee of the Managements Company Maintenance Team.
- 9) Weight and the physical strain that is a risk of injury to anyone pulling bins up this high gradient over 10 meters 300 meters.
- 10) Alternative to include a ground floor bin store instead of a lower ground floor option is installing and Freight lift.
- 11) They should ensure this issue is given due care and attention.

ABC Housing Services:

- 1) Require that two of the nine townhouses are provided as affordable housing; so these units should be provided for affordable home ownership, with one unit as shared ownership and one either as shared ownership or a low-cost home-ownership product agreed by the Development Partnership Manager within the authority.
- 2) Requests that the two townhouses slightly detached from the other seven be provided for share ownership;
- 3) Properties must meet Nationally Prescribed Space Standards. In the case of the 2-bed properties we would expect four bed spaces to be provided and with the 3-bed homes we would expect five bed spaces to be provided. Were the townhouses to be 4-beds then we would expect eight bed spaces.
- 4) We would request that the two townhouses that are slightly detached from the other seven on the site location plan be provided for shared ownership. In line with Policy HOU14 of the emerging local plan, 20% of all dwellings should be M4(2) standard, i.e. accessible and adaptable. The onus is on the applicant to indicate the specific plots that will be provided within this standard.
- 5) As the site has over 140 units, the policy requirement should also see one of the affordable units be made available as a M4(3) unit – though being a townhouse this admittedly does not lend itself to such an adaptation. We would be happy to see if the developer could bring such a unit forward here however.

[SPM Comment- As the proposed scheme does not include any affordable rented units there is no need for M4 (3) compliant residential units here.]

Ward Members: No comments have been received

Neighbours/Residents

As well as site notices fifteen neighbours have been consulted. One letter of objection have been received which repeats the issues raised by objectors to the previous consultation.

Objection

1 objection received which can be summarised as follows;

- The multi-storey development proposed is unsightly for this location and completely out of keeping for what is needed for Ashford.
- Housing stock is needed but a multi-storey block of this size, dubbed the Ashford Shard is inappropriate.
- The first thing that people coming from the train station is flats everywhere, both on this site and Victoria Quarter.
- A smaller tower would be much more beneficial and in keeping with the rest of town.
- Why the need for commercial outlets in this location - there are vacant spaces all over the town centre, which is an easy walk from this location.
- A decent petrol station and shop within already across the road.
- Units in the new cinema complex still vacant after all this time – completely unnecessary.

Environment Agency

Flood Risk – We can confirm that we are now satisfied with the proposals, and are able to withdraw our outstanding objection. The proposed development will only meet the National Planning Policy Framework's requirements if the suggested planning condition is included which requires development in accordance with flood risk assessment and no sleeping accommodation acceptable on the ground floor. This will help reduce the risk of flooding to the proposed development and future occupants.

Environmental Permits - include details about need to obtain environmental permits for works near rivers.

Fisheries, and Geomorphology - remove our objection to the proposed development on the understanding that an undeveloped river margin of a minimum of 8m width from bank top to the nearest edge of the development is formed during development and then maintained after it. Due to the extensive works that will need to be done at the site to prepare for construction, they propose conditions:

Groundwater and Contaminated Land -The previous use of the proposed development site as warehousing and a garage presents a medium risk of residual contamination that could be mobilised during construction to pollute controlled waters. Should be possible to suitably manage the risk posed to controlled waters by this development with suitable conditions attached to ensure it is in accordance with paragraph 178 of the NPPF.

The design of infiltration SuDS may be difficult or inappropriate in this location. We therefore request that planning conditions are included in any permission granted. Without this condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Kent Police

If the following requirements are formally secured by Planning Condition then we, on behalf of Kent Police have no objection to its approval

- 1) The parking to have access control with full height gates.
- 2) No access points that could allow unauthorised access.
- 3) The lighting to be approved by a professional lighting engineer must work with the CCTV plan.
- 4) The new trees planted should be designed to enhance security and maintain surveillance
- 5) The bike store plans require security detail,
- 6) The bin area to be lit and secured from unauthorised use.
- 7) The communal access points must be lit and designed to provide no hiding space or loitering thus stopping residents and their visitors from using it without fearing crime. Windows on the ground floor should meet certified standard. All ground floor bedroom windows require a defensive treatment.
- 8) All apartment doorsets to meet certified standards,
- 9) Communal mail delivery for the apartments needs to be "through the wall" or sited at the front in an air lock within the lobby, have CCTV coverage, be of robust construction and anti-fishing design.
- 10)The communal doorset needs to be duel fire and security certification.
- 11)Lift and stairwell access controlled separately to prevent the lift and stairwell providing unrestricted access onto a residential landing. Each resident should have access to their floor only via a security encrypted electronic key (e.g. fob, card or mobile device) both on the stairwell/landing door and lift. Access to stairwells from the communal lobby should be restricted to residents to reduce the risk of anti-social behaviour or criminal activities.
- 12)Unrestricted egress from a landing into the stairwell and from the stairwell to the communal lobby/emergency fire exit must be provided at all times.
- 13)Plans of the commercial unit users and requirements to follow.
- 14)Rooftop restaurant must have access control at ground level.
- 15)Site security is required for the construction phase.

Southern Water

Comments remain unchanged from 11/12/2019.

KCC Ecology & Biodiversity:-

Support the proposed 'green roof' and strongly advise that, if planning permission is granted, the provisioned vegetation is of native origin, suitable for the habitat and accessible for maintenance. Based on previous comments we have no further comments to make.

KCC Development Contributions, Economic Development:-

- 1) Following re-consultation on this site, the County Council has updated its assessment of 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.
- 2) The contributions apply to Primary education, Secondary Education, Community Learning, Youth Services, Library bookstock, Social Care, Waste.
- 3) The new build contributions for Primary Education have been revised by KCC following review and assessment by KCC Property of the outturn build costs (both expansion and new provision) within the County. All other contributions have been updated in line with indexation.
- 4) On Secondary Education, Libraries, Youth, Social Services, Community Learning and Waste contributions, it is only the indexation which has been updated to bring the indexation in line to October 19 – from the previous October 16.
- 5) It is the Primary Education build costings which have undergone an in-depth review. As with the revision to secondary school build contributions which took place in 2016/17 and was implemented in February 2018, KCC Property has reviewed the build cost of both new schools and extensions to existing ones in the County, and benchmarked these costs against other Local Authority and DfE builds. It found that the previous S106 contribution rates fell significantly short of the true build costs. As a result, KCC has been required to use its own capital budget to meet the gap in funding, something which it cannot continue to do.
- 6) The new costings are being applied to all new planning applications and ones which are reconsulted on prior to planning approval.
- 7) Existing guides have always stated that project costs will be reviewed annually by KCC, this is necessary to ensure that contributions mitigate their impact as per the CIL Regulations.
- 8) Reference to a need for a broadband condition is also highlighted to encourage the provision of high quality digital infrastructure in new developments as required by paragraph 112 NPPF.

(SPM comment - In ABC Officers view, the request for contributions towards waste management are not fully justified and would fail to meet the relevant tests in the CIL Regulations. As such, this is not reflected in the table of proposed planning obligations at the end of this report.)

With respect to other contributions being sought by KCC, the contributions proposed in Table 1 of this report reflect the 2016-based figures but these will be index linked appropriately. The increased primary education contribution now being requested is based on information not yet shared with either the developer or ABC and, as such, cannot be supported for this application beyond indexation from 2016).

KCC Highways

- Support the loading bay off Beaver Road where vehicles can load and unload off the live carriageway.

- Support the raised table junction to be installed at the site access junction with Beaver Road which will help slow down vehicle speeds along Beaver Road, aid pedestrian and cycle movements across Beaver Road towards Victoria Park in the west and Designer Outlet to the east and will also allow a safer location for longer delivery vehicles to be able to turn. This will need to be secured through a suitably worded planning condition in the event that planning permission is granted for the proposals.
- No objections to the proposals subject to the following conditions being attached to any planning permission granted and a necessary Section 106 Legal Agreement:
 - 1) Construction Management Plan (Including Routing of construction and delivery vehicles; Parking and turning areas for construction and delivery vehicles and site personnel; Timing of deliveries including HGV movements; Provision of wheel washing facilities; and Temporary traffic management / signage)
 - 2) Highway condition surveys for the highway access route on Beaver Road to assess any damage caused by vehicles related to the development.
 - 3) Provision and permanent retention of the vehicle parking spaces
 - 4) Provision and permanent retention of the vehicle loading/unloading and turning facilities
 - 5) Electric Vehicle chargers to Mode 3 SMART standard
 - 6) Provision and permanent retention of the cycle parking facilities
 - 7) Completion and maintenance of the access details
 - 8) Provision and maintenance of the visibility splays
 - 9) Completion of the off-site highway improvements
 - 10) Alterations to the Beaver Road arm of the Beaver Road / Victoria Way and Avenue Jacques Faucheux junction and installation of a box junction
 - 11) Submission of a traffic regulation order request for the provision of the proposed loading bay off Beaver Road
 - 12) Submission and approval of the finer details of the proposed retaining wall at the junction of Beaver Road and Avenue Jacques Faucheux
 - 13) Submission and approval of the finer details of the proposed raised table junction on Beaver Road
 - 14) The required travel plan should be secured through the Section 106 Legal Agreement

ABC Environmental & Streetscene:-

- 1) The amended plans are now 1:16 which is a lower slope gradient
- 2) Plans have been amended to include a platform lift.
- 3) The Presentation point has a very small footprint compared to the Bin Store
- 4) This meets the minimum on the gradient but not the overall pull/push length.
- 5) Pleased to see, these plans have been amended to show 1 platform lift and the management team will be responsible for presenting the bins within 10 meters of the refuse truck on a flat gradient less than 1:12.
- 6) Pleased that the Management team will be responsible for the bins store
- 7) Recommend re check all sizes of bin store, presentation points and gradients to get below 1:12 and

- 8) Minimum number of containers needed are 127 plus should include the 223 Blue dry recycling bags and 223 kitchen caddies.
- 9) could 2 lifts be provided instead of 1 in case of one breaking down
- 10) need to ensure the lifts can carry the maximum weight of a filled 1100 litre containers
- 11) The Management Company will be responsible for providing an Maintenance Team to service the Bin Store and present the containers at the kerbside
- 12) I cannot see any difference in the foot print of the refuse store that would increase it size.
- 13) New path on the landscape will reduce the pull distance from the presentation point to the refuse truck however no gradient is given on this and will have to also be under 1:12.
- 14) Regarding the management teams operatives moving the containers internally I would recommend they seek advice from the Health and Safety Executive to undertake a full risk assessment and training on the safe handling and movement of containers.
- 15) Storage area must comply with all air safety regulations. This number of containers will produce at combination of Methane 55% Carbon Dioxide and other harmful gasses. This reduction of oxygen can have effects on the users of this room (including the Bin Store Maintenance room cannot see windows or ventilation) as well as the odour.
- 16) The Storage should also be lit adequately to ensure safe usage.
- 17) Management Company will need to provide a Site Waste Management Plan.
- 18) Happy to offer any advice, discuss or clarify any points raised and advise on writing a Site Waste Management Plan.

ABC Tree Officer:-

- 1) The tree survey identifies the significant trees on the site and provides the correct RPAs for the trees with some being offset to account for the concrete wall. The removal of selected trees on the Beaver Rd frontage (T2/3) to facilitate access is reasonable.
- 2) Looking at the relationship between the proposed structures and the trees along the river path, I have concerns that the structure will be too proximate to T17 (Horse Chestnut) and result in pressure for crown reduction. Given that it is a category C specimen, it may be of benefit to remove the tree and mitigate it with new structural tree planting.
- 3) Within the group that comprises of T13/14/15/16 only T15 Sycamore (cat B) may be worth retaining and that removal of the other trees represents an opportunity to plant native attractive and structurally solid species that would enjoy the river environment
- 4) This will have a significant long-term biodiversity benefit if implemented – this would accord with the Green Corridor status of the area.
- 5) The proposed planting to the north, is not in my view the most appropriate - the species that have been selected will not have the impact that the position needs
- 6) This is a key node within the town and accordingly is highly visible. The opportunity exists to create a keynote planted area complementing the status of

the 17 storey structure that will enhance the likely cognitive mapping feature that it will become.

- 7) Conditioning the landscaping would provide the time to ensure that a high quality environment is achieved – this is especially important given the Green Corridor and public visibility of the site.

Planning Policy

42. 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), the Rolvenden Neighbourhood Plan (2019) and the Kent Minerals and Waste Local Plan (2016).
43. 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).
44. The relevant policies from the Local Plan relating to this application are as follows:-
- SP1 – Strategic Objectives
 - SP2 – Strategic Approach to Housing Development
 - SP5 – Ashford Town Centre
 - SP6 – Promoting High Quality Design
 - HOU1 – Affordable Housing
 - HOU3A – Residential Windfall development within Settlements
 - HOU12 – Residential Space Standard (Internal)
 - HOU14 – Accessibility Standards
 - HOU15 – Private External Open Space
 - HOU18 – Providing a Range and Mix of Dwelling Types and Sizes
 - EMP1 – New Employment Uses

- EMP2 – Loss or redevelopment of employment sites and premises
- EMP6 – Fibre to the Premises
- TRA3a – Parking Standards for Residential Development
- TRA3b – Parking Standards for Non-Residential Development
- TRA4 – Promoting the Local Bus Network
- TRA5 – Planning for Pedestrians
- TRA7 – The Road Network and Development
- ENV1 – Biodiversity
- ENV2 – Green Corridor
- ENV3a – Landscape Character and Design
- ENV6 – Flood Risk
- ENV7 – Water Efficiency
- ENV8 – Water Quality, Supply and Treatment
- ENV9 – Sustainable Drainage
- ENV11 – Sustainable Design and Construction
- ENV12 – Air Quality
- ENV13 - Conservation and Enhancement of Heritage Assets
- ENV 14 – Conservation Area
- ENV15 – Archaeology
- COM1 – Meeting Community Needs
- COM2 – Recreation, Sport, Play and Open spaces
- COM3 – Allotments
- IMP1 – Infrastructure provision

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

Supplementary Planning Guidance/Documents

Affordable Housing SPD 2009

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Residential Space and Layout SPD 2011

Sustainable Design and Construction SPD 2012

Public Green Spaces and Water Environment SPD 2012

Informal Design 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 (NPFF) 2019

46. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF.
47. The following sections of the NPPF are relevant to this application:-
- Paragraph 11 – Presumption in favour of sustainable development.
 - Paragraph 47 – Determination in accordance with the development plan.
 - Paragraph 59-76 – Delivering a sufficient supply of homes.
 - Paragraphs 91-95 – Promoting healthy and safe communities.

- Paragraphs 102-107 – Promoting sustainable transport.
- Paragraphs 117-121 – Making effective use of land.
- Paragraphs 124-132 – Achieving well-designed places.
- Paragraphs 148-165 – Meeting the challenge of climate change and flooding.
- Paragraphs 170-177 – Conserving and enhancing the natural environment.
- Paragraphs 174-177 – Habitats and biodiversity.
- Paragraphs 178-183 – Ground conditions and pollution.

Assessment

The key issues for consideration are:-

- (a) The principle of the mixed-use redevelopment of this site and the provisions of the Development Plan i.e. how the development of the site fits within the existing local and national planning policies in terms of use and location.
- (b) Design - The suitability of the site layout and design approach and the impact of the built form and visual character on the wider townscape and local surroundings and how the building and how the site functions and operates for residents, customers, associated operators as well as the buildings environmental performance, safety, accessibility, infrastructure provision phasing and overall deliverability.
- (c) Whether the proposals are acceptable in terms of affordable housing;
- (d) Highways impacts - The impact of the development on the local highway network including the acceptability of the Beaver Road and Avenue Jacques Faucheuix junction upgrade; the access and provisions for delivery and servicing for the site; and the proposed pedestrian and cyclist environment.
- (e) Parking Impacts - The quantum of on-site parking provision for vehicles and cycles and including electric charging provision.
- (f) Flood Risk & Drainage - Whether the proposal is acceptable in terms of flooding based on the sequential test, and surface water drainage.
- (g) Impact on Ecology and biodiversity.

- (h) Community facilities and infrastructure
 - (i) Planning Obligations - Mitigating the needs arising from the development through s.106 obligations,

(a) The principle of the mixed-use redevelopment of this site and the provisions of the Development Plan i.e. how the development of the site fits within the existing local and national planning policies in terms of use and location.

- 48. The application site is within the designated town centre, as set out in Map 1 of the Local Plan 2030 which forms part of policy SP5 'Ashford Town Centre'. The application site is not allocated in the Local Plan 2030 however, the Local Plan 2030 does not allocate any residential site within the town centre area.
- 49. The site had previously been allocated for redevelopment in the Town Centre area Action Plan (Policy TC16) which designated it as an important redevelopment opportunity suitable for a substantial gateway building with a mix of uses including residential, retail, leisure, office and hotel uses. It encouraged a landmark building of a height significantly greater than 6 storeys with potentially a building of less site coverage and more vertical emphasis. There was support in this policy for a landmark building of proven, widely accepted architectural excellence to signpost this important entrance to the town. Whilst the Town Centre Area Action Plan has now been superseded by the Local Plan 2030, this previous policy background is considered material, albeit now carrying minimal planning weight. The previous TCAAP Inspector supported the aspiration for a tall, landmark building on this site in the past as part of that process.
- 50. Policy SP1 of the Local Plan also sets out the strategic objectives for development in the borough. The first of these objectives is "to focus development at accessible and sustainable locations which utilise existing infrastructure, facilities and services wherever possible and make best use of suitable brown field opportunities". Within this context, the Town Centre is recognised as 'the most accessible location in the Borough' (para 2.138 of the Local Plan).
- 51. Policy SP5 provides support for proposals where they will assist in delivering the Council's vision, as set out in Chapter 2 of the Local Plan. This includes the regeneration of the town centre to significantly expand a range of uses, including the residential offer. More specifically, policy SP5 (b) provides explicit support for town centre residential development.
- 52. This policy support is predicated in SP5 (a) on proposals being able to demonstrate a quality of design that makes a significant contribution to the

character of the town centre. Prominent sites are expected to have been subject to public exhibition and assessment by the Ashford Design Panel. The assessment of the design of the application proposals are discussed elsewhere in this report.

Non-residential element

53. The HomePlus business has been operating from the site but will vacate by 1st June. Despite the size of the store, when HomePlus closed recently there were only 10 full and part time employees employed by HomePlus and a smaller number operating from the car wash facilities. I do not consider the loss of this business with low levels of employment uses on this site to be significant.
54. In any event, new uses are proposed in the form of 3 commercial units at close to street level and a restaurant on the top two floors which will be expected to result in an increase in the net number of jobs on the site, even though the proposed 1312m² of commercial floorspace is less than currently on site.
55. Policy EMP2 of the Local Plan seeks to avoid the loss of employment sites or premises but this policy applies outside of the town centre and so is not directly applicable to this application. In any event, the minor loss of employment generating floorspace here is compensated for in the potential increase in jobs being created on the site.
56. In conclusion, I consider that the principle of new development of the type promoted by the applicant is in accordance with overall vision and strategic level policies of the Local Plan 2030.
57. It is not known when exactly the existing large retail sheds were erected but were occupied by B&Q before HomePlus. The smaller unit and forecourt on the site have contained car sales and car repairs businesses in previous times and were used by a car wash business until very recently.

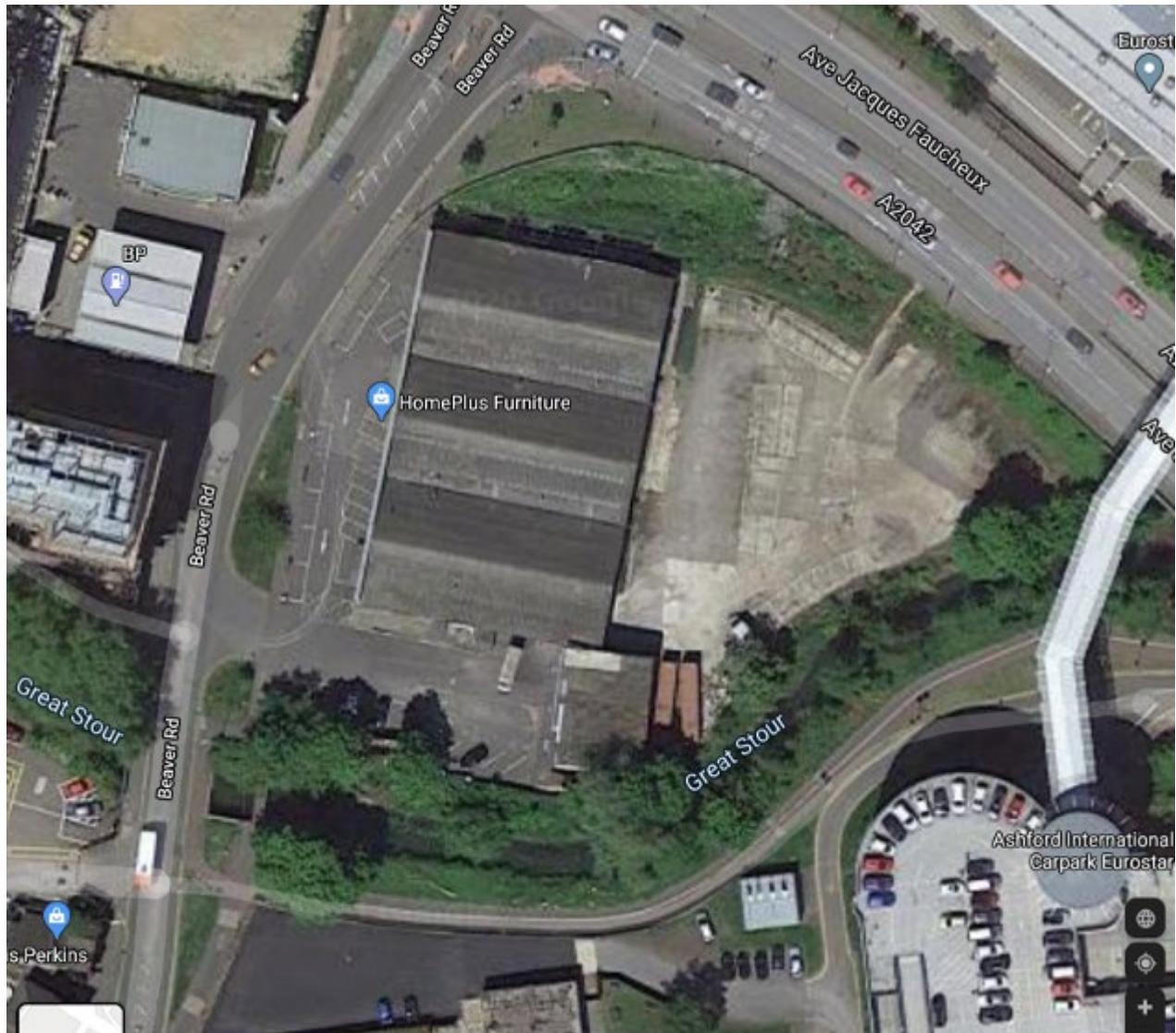


Figure 10 Aerial Photograph of site (2020)

58. Whilst the Town Centre Area Action Plan has now been superseded by the Local Plan 2030, this previous policy background is considered material, albeit carrying minimal planning weight. A previous Planning Inspector has supported the aspiration for a tall, landmark building on this site in the past as part of that process.
59. Employment Land - The HomePlus business still operate from the site but will vacate by 1st June and is currently closed to the public due to Covid19 restrictions. Despite the size of the store when HomePlus closed recently there were only 10 full and part time employees employed by HomePlus and a smaller number operating from the car wash facilities. I do not consider the loss of this business with low levels of employment uses on this site to be significant as new uses are proposed in the form of 3 commercial units at close to street level and a restaurant on top two floors (15th and 16th storey)

which will be expected to result in an increase in the number of jobs on the site.

60. I consider this mixed use redevelopment proposals involving predominantly residential development on site is acceptable as the scheme includes 1312m² of commercial floorspace which although lower than current uses is expected to result in an increase in jobs.
61. *EIA Scoping* - A scoping opinion concluded that an environmental impact assessment was not required as part of a planning application.
62. In conclusion, I consider that the principle of new development of the type promoted by the applicant is in accordance with overall vision and strategic level policies of the ALP2030. The adopted development plan is up to date and, in my opinion, there are no material considerations to suggest why the principle of the proposed development is no longer a good one in planning terms.

(b) Design - The suitability of the site layout and design approach and the impact of the built form and visual character on the wider townscape and local surroundings and how the building and how the site functions and operates for residents, customers, associated operators as well as the buildings environmental performance, safety, accessibility, infrastructure provision phasing and overall deliverability.

i) Layout & Siting

63. The layout of the development, is largely dictated by the existing roads around the site, the topography and the shapes of the site itself. The proposals are a logical approach to development with a perimeter style of development where possible creating strong enclosure or active frontages to existing movement corridors, as well as a clear distinction between public realm at street level and the semi-private realm of the communal rear courtyard. The perimeter development form also offers the opportunity to exploit the levels on the site and provides space to the rear to help discretely provide the two storey car park behind the buildings and beneath the main communal courtyard space.
64. The site is compact and in some ways quite awkward, as it sits at the base of a large bank that forms part of the supporting structure of Avenue Jacques Faucheux to the north and Beaver Road to the west. Both the streets and their supporting embankments lie largely outside of the application site. Through early design negotiations it became clear that the landownership restrictions and the need to protect the structural bank of the main roads

meant the development had to be set back and over a storey lower down from the Avenue Jacques Faucheux street level, at the base of the embankment along the entire northern site boundary. This is unfortunate in terms of urban design and placemaking principles by preventing the ability to create continuous active frontage at street level. However I do not consider there was a real alternative as following initial discussions with Kent Highways it became clear that bridging from the development over the highway embankment onto Avenue Jacques Faucheux was not feasible due to cost and the need to protect and avoid risk of disruption to the structure of the main road.

65. A similar problem existed with the relationship between the ground floor of the development and the street in Beaver Road. However the street slopes more favourably away from the main junction and consequently the proposed ground floor of the development and street level along this western boundary meant the proposals are more able to quickly merge together. This means Beaver Road has a positive street frontage that provides a continuous enclosed active frontage which makes the street feel more interesting, busy, and safer (see image below).



Figure 11 - Beaver Road street frontage

66. The siting of the main tower at the north-west corner of the site close to the large highway junction is logical for several reasons. It means the tower minimises the amount of overshadowing of the rest of the application site and communal amenity space as well as the adjacent residential apartments

currently under construction on site to the west. The tower is also well located in relation to the edge closest to the town centre and station and the main movement corridors running through the town. By also proposing an entrance on this prominent corner at the base of the greatest concentration of built form closest to the town centre means it will encourage more residents to walk to and access the town centre facilities and improve the ease of accessing the rail station. I consider that this tower gives the development a high profile and greater status that is befitting its role and location as it will act as a key landmark that emphasise this is becoming a much more important part of the town centre.

67. The siting of the 9 townhouses along the southern riverside edge is strongly supported as will serve to screen what would otherwise be exposed views of a functional and bland two storey facade of the car park behind. Without the townhouses there would have been poor quality views of the exposed side of the car park along the well-used riverside footpath and cycleway. Instead the more domestic scale of the townhouses will create a very positive edge to this important part of the development. The location of the town houses directly fronting the river with a new landscaped public footpath in front of them, means the proposals make the most of the attractive southerly aspect to the river corridor and will also give the occupants an attractive waterside outlook in a tranquil area. I support the siting of the townhouses on these grounds and consider them a key part of providing an effective use along this edge of this urban site.
68. I support the siting of the building and communal entrances around one main access lobby area beneath the tower as I consider it will provide a convenient, safe and secure access for residents on foot and make the courtyard space active and relatively busy.
69. The siting of the potential commercial units along Beaver Road street frontage and over two storeys at the main residents entrance lobby will encourage passing trade from along Beaver Road. Being based close to the building entrances will also encourage residents to support and use the units making these units much more likely to be popular and commercially viable. Likewise the siting of the ground floor entrance to the rooftop restaurant will be convenient and visible from the main streets to the north and east of the site, which is critically important to supporting the commercial attractiveness of the restaurant.
70. The position of the access to the cycle and car parking area can use the existing site access exploits the site levels nicely in a logical and efficient manner to access the car parking. The existing street levels meant options for a new access were limited and although some modifications to the access are proposed I support the siting of the access as it largely hides this car parking

infrastructure and still allows good levels of active street frontage to help animate and enclose the majority of Beaver Road.

71. On balance the combination of the building footprints, the position of commercial uses, resident's circulation, the siting of the access and the car park configuration are very efficiently laid out and will exploit the complex sloping topography to enable the building to have a strong, positive and interesting relationship to the surrounding urban and natural environment. On these grounds I fully support the layout of the site.

(ii) Building Form

72. The development ranges in height from 4 storey townhouses, 8 storeys fronting Beaver Road, increasing to a mix of 9 and 11 storeys fronting Avenue Jacques Faucheux with a mix of 8 and 9 storeys along Beaver Road linked to a 16 storey tower on the corner of Beaver Road and Victoria Road. This 16 storey element sits above a lower ground floor, sunken below street level, on the corner which results in there effectively being 17 levels to the building at this point.
73. The interesting and varied scale and height of this substantial building is considered acceptable on a site which is isolated from its surrounds by large roads and the river. This compact site on the edge of the town centre is adjacent to some very large and heavily engineered highway infrastructure, which along with the petrol station in Beaver Road and the nearby multi storey car park results in a noisy and relatively poor quality environment. The existing site and its environs at present result in a poor impression on this major approach to the town centre as images below show.



Figure 12 View south along Beaver Road



Figure 13 - Avenue Jacques Faucheux, Beaver Road & Victoria Way Junction



Figure 14 - View of International Passenger Station Multi Storey Car Park



Figure 15 - Riverside footpath

74. However, there is the attractive modern International Passenger station to the north of the site which is a striking landmark within the town. With the opening of Victoria Way, the recent opening of the Brewery and the current construction of the Victoria Point development, adjacent to the petrol station, these important developments have incrementally gone a long way towards the transformation of this whole area.
75. Having such a modest footprint for a 16 storey tower set above the sunken car parking levels means that the form and massing of the building is relatively sleek and is clearly well articulated, balanced and proportioned. I feel it has achieved the right balance between its height and its bulk to create a clear vertical emphasis. It is undoubtedly tall, but as it is well proportioned so I consider the form works well and makes a strong statement. The tower is interesting and varied when viewed from different directions and this dynamic feature of character will give a richly diverse appearance. From the north (and the town centre) and the south (from Beaver Road) the tower has a slenderness to it which will make a very positive contribution to the skyline of the town. I am comfortable with the appearance and massing of the tower.



Figure 16 – North Elevation to Avenue Jacques Faucheux

76. The other parts of the development range from 8-9 storeys in Beaver Road (which is linked to the tower) and up to 10 storeys along Avenue Jacques Faucheux (above the two car parking levels) with this section being separated from the main tower. Both these parts of the development have a more horizontal emphasis to their form and massing. Their scale and massing works well along the two wide main roads to which they front as their height will not overly dominate the streets and will provide good enclosure and strong visual interest to the urban setting.



Figure 17 - Frontage to Beaver Road

77. The form and massing of these two sections of longer, squatter buildings have been broken up by designing in breaks and recesses to the facades to create depth and interest but most importantly helps give these buildings a horizontal emphasis to their constituent parts. I consider this will help give the impression that these buildings are slightly more individual and distinctive from each adjoining section. The town houses along the riverside are a modest four storeys and successfully mask views of the decked car park to which they adjoin.
78. Improvements to the design of all elevations have been sought through the processing of the application to enrich these facades. I support the creation of a building which I consider will have a strong sense of identity and uniqueness which will complement Ashford's richly diverse and attractive town centre.
79. Notwithstanding, concerns have been expressed that the scale of the building is out of keeping with the local area and will impact on the townscape.
80. The applicant initially provided a series of non-verified views showing the scheme in relation to some of the surrounding streets which give an overall impression of the scale and visual appearance of the building as seen below. It should be noted that the external designs and detailing of the facades have been enhanced and amended but the scale form and massing is accurate.



Figure 18 - CGI's showing bulk and massing of proposals in wider context

81. I have therefore assessed the visual impact of the development on the site and town centre myself through site visits and desktop research.
82. Firstly, it should be pointed out that the building sits on a low lying site next to the river at a lower level than the original town centre and partially set below the street level. In effect the site is therefore noticeably lower than the historic town centre core to the north and, in comparison, where it is glimpsed it will appear roughly 2-3 storeys lower as a result of topography and difference of street levels.
83. The building will therefore have a clear and striking presence from the north and parts of the town centre but from the historic core it will be largely screened by existing buildings. Main views of the upper storeys will be from within Memorial Gardens, where it will be slightly visible above the modern college building. There will be some other glimpsed views south eastwards from parts of Elwick Road where open undeveloped sites allow views presently in this direction across railway lines, although this will change when those sites are redeveloped themselves in the future.
84. There will be prominent views of the upper section of the tower from most of Station Road, but this will be a view of the sleekest part of the tower and will be glimpsed amongst the cluster of more recent larger modern buildings such

as the college and Commercial Quarter offices. Views eastwards along Victoria Way of the tower will be prominent but again this will be seen in the context of a rapidly changing and modern townscape which this tower complements. I feel the scale massing and design of the tower and the adjoining sections of the development will fit in well in respect of all the context of the much more modern southern section of the town centre. I am therefore confident the development add more variety and interest to the skyline and will become a positive and high profile landmark.

85. The site is not located within a conservation area. However due to the scale of the building I have considered its impact on the town centre conservation area as a designated heritage asset. There will be very few views of the proposed building from within the historic core which includes the town centre conservation area. I consider that the tower would not have a significant adverse impact on the long range views into the conservation area, and out of it. I consider the proposed development would have no significant adverse impact on the setting of the Conservation Area as a heritage asset and is in accordance with Policy ENV 13 of the Local Plan. The development will help deliver wider benefits to the area and therefore the proposal would comply with ENV13 and para 196 of the NPPF, which both state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. As the new development makes a positive contribution to local character and distinctiveness this overrides the impact on the conservation area and the proposed development is acceptable.

- 86.

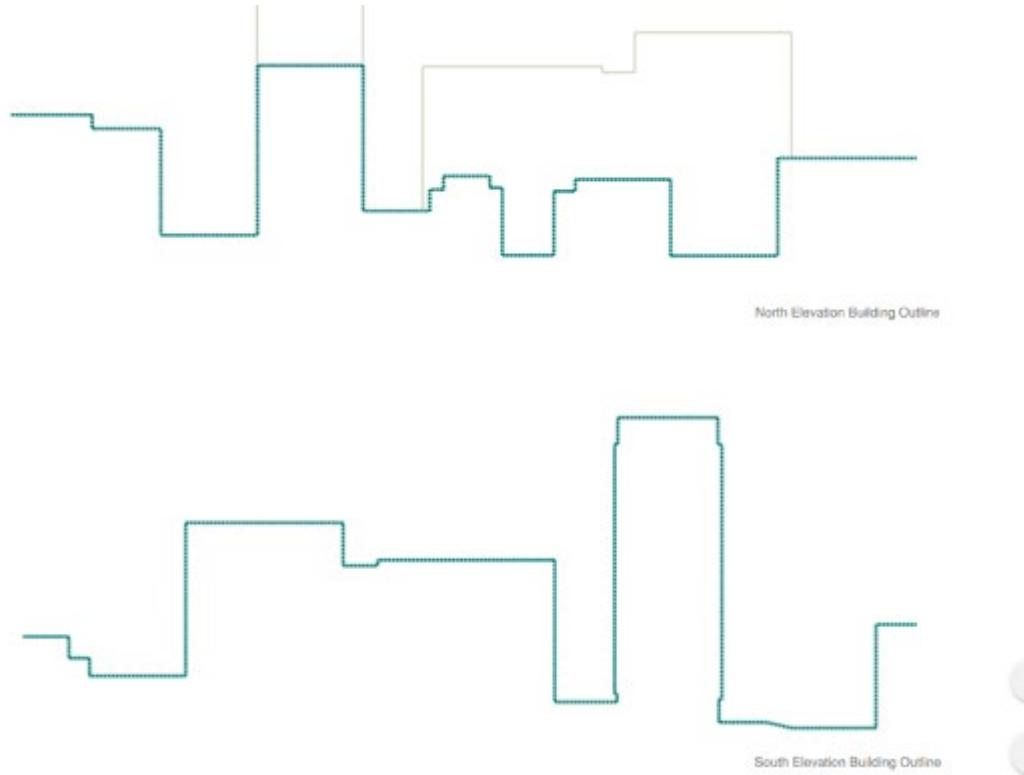


Figure 19 -South & North Silhouette of the Development

87. There has been no visual analysis undertaken by the applicant from the edges of Ashford, but my own analysis indicates where the proposed tower is glimpsed it will make a positive addition to the character of the town and will be set far enough away from St Mary's Church tower to avoid any adverse visual impact on the town's skyline.
88. It is clear that there are a number of other current proposals for tall buildings within Ashford town centre which Members have resolved to grant consent for but which are still subject to Section 106 agreement discussions and are yet to come forward on the ground. These include the 19 storey tower at Newtown Works and a 14 storey tower at the Kent Woolgrowers site.



Figure 20.1 Newtown Tower (19 storeys) & Kent Woolgrowers Tower (14 storeys)

89. Cumulatively, these buildings will have an impact on the townscape. I consider this proposal will sit very well alongside these other towers and will complement their form and appearance. This proposed taller building gives further confidence in Ashford town centre as a place that is regenerating and changing its perception forming a contemporary and interesting new place to live next to a richly interesting historic town centre.



Figure 20.2 View of Town Centre from South East

90. The main two parts of the town centre include the historic centre and new south east part area of the town centre near the station and commercial quarter. It has been a long standing aspiration of the Council to encourage exceptionally well designed taller buildings nearer the station due to its sustainable location, and provided it is appropriate to its surroundings. I feel this particular proposal satisfies these aspirations through its scale, form and design.
91. Currently, the existing road and rail infrastructure around the site and station visually dominates the local environment and consequently has a detrimental effect on the appearance, character and perceptions of the place. The substantial road and rail infrastructure largely dominates views from the south and eastern approach to the town which means there are few clear views of the St. Mary's Church Spire. The one significant view which glimpses the Church from Avenue Jacques Faucheux is shown below but the proposed development will not restrict this view in any way.



Figure 20.3 South East View - approach to town centre along Avenue Jacques Faucheux

92. My research indicates that there are very few views of St Mary's Church from the south of the town. Since the proposed tower will sit approximately 640 metres away from St Mary's Church spire and will not block or harm any key or important views of it from within the town I am satisfied that important traditional views of the church will not be affected or harmed by the proposed 16 storey tower.
93. The proposed tower will be seen more in the context of International House directly opposite the north side entrance. The form and massing of the proposed tower is much better proportioned and complements the skyline better than this building. Similarly, the proposed form and massing of the

proposed tower also is significantly more beneficial to the town's skyline than Panorama (formerly Charter House) which is another of Ashford's existing tall buildings.



Figure 20.4 -Charter House/Panorama (10 storeys) International House (12 Storeys)

94. As the images above show, both of these buildings are very much of their time (1970's and 1980's). They are both tall and very wide which results in a very bulky presence. Their design and appearance of Charter House in particular appears to have been heavily influenced by a 'brutalist' style of design. International House is influenced by a dominant 'glass curtain wall' to main facades that was extremely popular for commercial buildings of the late 1970's and early 1980's. Both buildings have a form that is unremitting with a persistent horizontal emphasis to their façades which consist of harsh materials that I consider to be less sympathetic to their surrounding and the Ashford town centre character than the application proposal here. The detailing of these buildings means they lack visual richness, depth and complexity. As a result these two rather brutally proportioned buildings dominate their surrounds and tend to have a disappointing and greater visual impact on the town's skyline and on views of the St Mary's Church tower.
95. This proposed new building, and its tower in particular, will improve the area significantly and bring a new profile of a busy mixed use area around the station which is along held aspiration of the Council. It will bring an improved public realm; and the introduction of a new interest to the skyline will become a legible and distinctly recognisable way-finding marker for this rapidly changing new mixed use parts of Ashford town centre.
96. Whilst I fully acknowledge that the proposals are bold and ambitious and would change the Ashford Town Centre townscape, I recognise for many it is not particularly welcomed. However on balance my view is that the case for this tower is justified in terms of its design, form, landmark qualities and regeneration benefits. I am content that the height and form of the building would be in proportion with the major importance of the location of the site next to the station. I am also satisfied that the heights proposed are suitable and entirely in accordance with realising the regeneration ambitions for this

site which has been ripe for redevelopment for many years. I consider that the tower will not detrimentally harm the setting or views of the Grade II listed St. Mary's Church in Ashford Town centre and that the church would not be adversely affected by the proposal as part of an emerging group of modern buildings on the southern side of the town centre.

97. In light of the above I am satisfied that the relevant clauses of policies SP1(d), SP5 and SP6 of the Local Plan is satisfactorily addressed by the scale, height and massing of the proposals. I conclude that the proposed tower will not detract from the setting of the St Mary's church tower and will help provide a strengthened presence within the area around the station. I am content it will positively transform the skyline in this part of the town centre and will complement rather than harm the existing character of the town centre.

Architectural Appearance & materials

98. At the pre-application stage, the applicant commissioned a detailed physical model of the scheme which helped inform the design negotiations with planning officers considerably.



Figure 20 - Models of site and early proposals

99. The scheme went to an independent Design Review and the following key issues were raised
- There are physical challenges with the site, but the emerging scheme goes a long way to resolving them;
 - The overall quantum of development seems right;
 - The mix of uses is appropriate;
 - The courtyard plan is logical.

- Consideration of taller element at the northeast corner of the site;
 - Development shouldering the taller element should step down rather than up;
 - Elevation of the blocks need a clear underlying concept to strengthen their architectural language;
 - The townhouses facing the river are an attractive element of the scheme but more generous spacing would work better to make the point where the steps leading to the communal garden less pinched;
 - The central quad is an attractive element and careful thought should be given to how it will function;
 - Early appointment of a landscape architect will help to resolve the design and appearance of the external spaces.
100. A full copy of this report can be seen in the Appendices (annex 1)
101. Since the application was submitted further modest amendments have been made to refine the architectural approach by;
- enhancing the building's verticality of the tall building,
 - relocation of balconies from east and west to south side of tower.
 - increased the amount size and proportions of glazing and decorative cladding panels to window bays and introduce further inset brickwork sections
 - materials proposed include red stock brick, yellow stock brick, gold metal coloured balconies, gold metal fins and mesh panelling, black metal cladding and timber cladding.
 - enhancing the quality detailing herringbone pattern, and colour tone of the brickwork to emphasise.
 - increase the number of fins, decorative mesh panelling, semi translucent panels and metal rain screens to ground and lower floor sections of elevations.
 - Podium garden enclosure reduced to metal fencing.
102. I acknowledged that the proposals would result in new contemporary urban architecture featuring simple forms articulated with brick textures, contemporary proportions and a simple but varied palette of high quality materials.

103. I consider the proposed design approach is acceptable as it would provide simple forms articulated with brick textures, contemporary proportions and a simple but varied palette of high quality materials. The architects have been encouraged to deliver highly articulated and active facades with carefully balanced well-proportioned sections, with recessed gaps which help to break down the horizontal mass of the buildings and help give it a stronger degree of verticality.



Figure 21 West Elevation Beaver Road



Figure 22 - North Elevation Avenue Jacques Faucheux

104. The architectural approach adopted by the applicant is positive, ambitious and contemporary given there is no heritage context that would suggest a more traditional architectural style would be appropriate. The form and scale of the proposed buildings also means a modern style is considered most appropriate.
105. The building has been well designed with a clear understanding and recognition that the base, middle and rooftop of the buildings feature different uses, roles and functions. I consider that the design successfully treats these 3 components in a distinctive manner which helps break up the form of the buildings in an attractive and distinctive manner whilst also creatively incorporating some of the key recurring detailed themes of the architectural form. This is a particular strength of the buildings design and appearance and the architect should be congratulated on this achievement.
106. I am satisfied the proposals are to be constructed in highly attractive mix of quality materials that are practical, durable and affordable. The use of bricks draw on the local tradition in Ashford town centre of building in good quality brickwork. The yellow and red bricks will be complemented by a subdued tone of darker brickwork grading up the tower part of the building helping to add further finesse to the appearance of the tower and also giving the tower strong links to the lower parts of the buildings so that it is well rooted in its surroundings.
107. The proposals include subtle variations in the building line and elevation articulation such as setbacks, brick detailing, and materials should help ensure a rich architectural appearance and a high quality design. The tower has had special treatment by creating the impression of dynamic wrap around folded brickwork which narrows to create a special and unique architectural climax at the main most visually prominent corner. This corner feature faces north towards the town centre and extends the full height of the tower. Balconies add extra architectural emphasis at this distinctive pinch point which successfully gives a strong impression of a slender tower. A similar feature is proposed to the eastern elevation of the 10 storey section fronting Avenue Jacques Faucheux, which site above the 2 car parking levels. Both these elements add extra finesse to the architectural form and create welcome striking urban landmarks on the approach to the site and when viewed from the north.
108. All attempts to break-up the mass of the buildings and introduce rich interest is important, as this helps avoid creating a bland repetitive appearance, enriches the facades and help break down the apparent scale of the development.



Figure 23 –South Elevation including some of townhouses

109. Improvements to the design of all elevations have been sought including the less noticeable parts of the developments. I am also content that the less prominent elevations of the scheme including the riverside town houses, courtyard elevations, side of the block elevations, lower ground floor including the exposed edges of the car park levels are all designed to a sufficiently high standard and provide adequate visual interest through detailing that reflects the themes of the rest of the main facades.



Figure 24 - Townhouse architectural detailing

110. I consider the provision of the detailing including large windows, varied roof line, high quality varied materials palette, projecting balconies, parapet coping, textured mesh panels, and decorative brick detailing including soldier courses and inset brickwork means the façade will be unique, innovative and highly distinctive.



Figure 25 Examples of typical external architectural detailing

111. Along the first, second and part of the third levels of the ground floor elevation along Beaver Road, are some commercial facades and all the main entrances

to the building for residential, commercial and top floor restaurant uses. This lower part of the façade is partially recessed from the brick sections of the rest of the building above and this interesting part of the façade contains glass, decorative panels combined with highly distinctive vertical fins adding texture, decoration and strong visual interest to make this whole part of the elevation an vibrant and active feel up close to the street. It also creatively allows the frontage here to step down the slope in a sophisticated manner to ensure a positive relationship with the street.

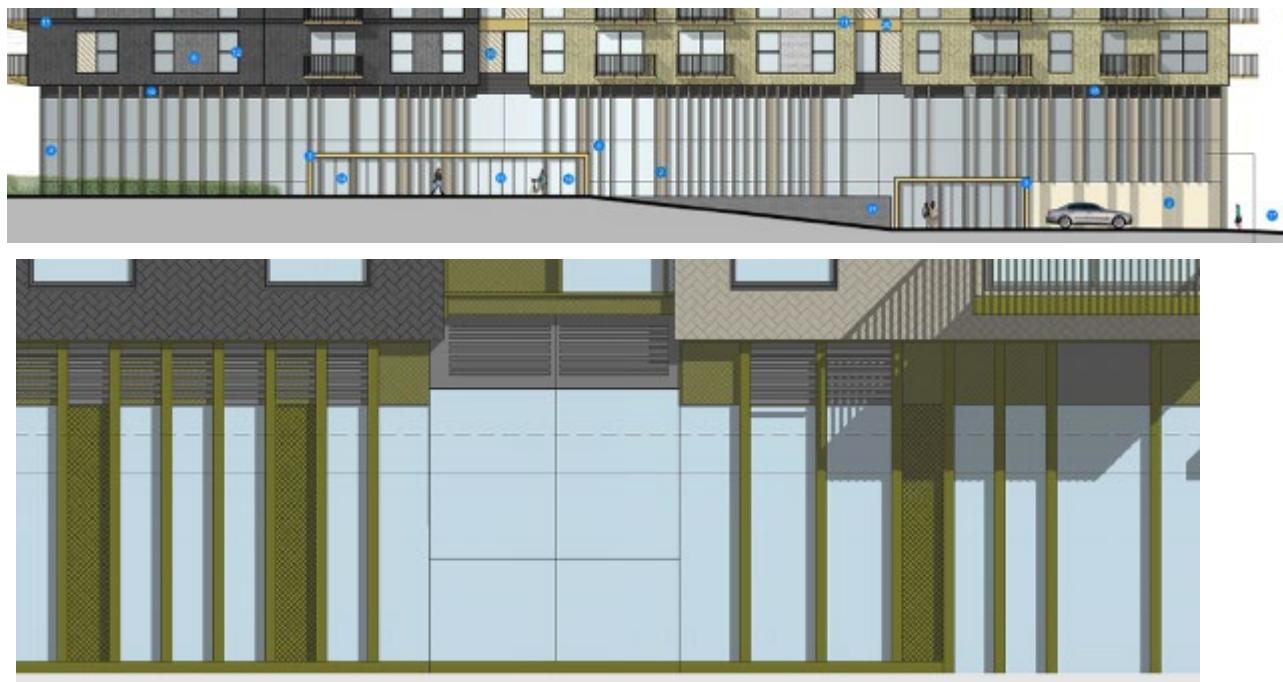


Figure 26 Architectural Detailing at Street Level (Beaver Road Frontage)

112. I am satisfied that from a pedestrian perspective the quality of the materials and detailing sits comfortably and will create a pleasant environment to both move through but more importantly to spend time in. All the finer details of the build would be conditioned as the execution of the scheme in its detailed form would be critical to its success.
113. In my view, the architectural response and the detailing design of the development serves to give this changing part of Ashford's town centre its own distinctive character, aiding legibility and orientation providing visual interest for residents. I support this bold and ambitious approach, as it adds variety and interest to the townscape and therefore support the proposals in relation to its architectural form.

Wind / microclimate

114. I have analysed the applicant's Wind Microclimate Assessment study which measured the impact of the building effect on wind on 23 different points and spaces around the building.
115. The study concluded that the development site is considered to be generally well sheltered from all wind directions by the surrounding landscaping and the terrain roughness of the local urban environment. However, it also concluded that ten locations were found to have some level of unacceptable wind conditions, mainly for people who sit in these locations. Three of these locations were found to be on the edges of the podium garden level where some allocated sitting areas were proposed which obviously makes the areas slightly more sensitive to any increased windiness. This was in addition to the potential for corner-streaming and channelling due to the occasional northerly and southerly winds which caused these slightly elevated wind speeds at these locations. The balcony locations on the upper floors may also be likely to experience increased windiness at these locations at high level.
116. I have considered the evidence and I am satisfied that no locations at ground or lower ground level were found to encounter seriously unacceptable levels of windiness. The issue will only be experienced infrequently when wind is from certain wind directions, for short periods when above average wind velocity is experienced
117. I recognise there are opportunities through the detailed design of the spaces around the building to minimise any such effects which occasionally occur when wind direction is from certain directions. These low key mitigation recommendations include small-scale landscaping around the landscaped decked amenity space. Whilst I am satisfied the proposed trees and vegetation currently proposed are likely to provide sufficient mitigation at this location, as part of the conditions, further mitigation to provide extra landscaping to provide local shelter to sitting areas should be considered.
118. Some changes to the balcony edges will provide more shelter to balconies. I am content that with a well-designed balustrade at least 1.2m in height and a with a maximum open area of 30% or the inclusion of solid or porous side screen of at least 1.5m in height. This will also benefit privacy of residents.
119. The report identifies other measures that can help reduce and dissipate wind velocity. Architectural canopies can be used to deflect downdraughts from tall buildings but this is not expected to be a problem on this site. Evergreen landscaping and wind art sculptures can act as windshields, windbreaks and wind sail structures to help modify the local pedestrian wind conditions and this will be explored with the applicant through landscaping conditions and conditions relating to balcony detailing.
120. It was evident that no major changes to the building massing were necessary and I am satisfied the proposed building will not harm the wind turbulence in the adjoining public realm at the base of the building or the communal amenity

space areas. I am satisfied that the main mitigation recommendations of the Wind Microclimate Assessment report can be addressed by condition.

Shadowing

121. I have also looked at the shadowing that would be created by the tower and the other proposed buildings. The tower is proposed to be located on the north-western corner of the application site and will be over 30 metres away from a small part of the far eastern corner of the emerging Victoria Point development that lies nearest Beaver Road. The proposed tower will however be over 60 metres from the main part of the building and its eastern elevations that run directly behind the petrol station. The tower will also be over 30 metres away from any redevelopment of the corner of the Victoria Point site fronting Victoria Way which currently has permission for the erection of a hotel, but this separate building is not yet under construction. The tower will also be almost 100 metres away from the nearest existing traditional two storey residential properties in Beaver Road and almost 150 metres away from existing residential flatted properties in Victoria Crescent.
122. The passage of the sun would result in the tower mainly overshadowing only the Avenue Jacques Faucheux, including the large traffic controlled road junction and the petrol station as it is well sited on the north western corner of the site. It may in the early mornings partially overshadow a small part of the development - more so in the winter months, but for most of the day and most of the year the development will result in minimal overshadowing. This is a normal occurrence in centrally located urban environments where compromises on daylight and sunlight is inevitable. Consequently I am satisfied there will be no detrimental impact on the overshadowing of existing neighbouring properties of the development at Victoria Point and it will not result in a poor quality living standards or expect to seriously harm the residential amenities of the future residents.
123. I have also considered the shadowing impact on the proposed elevated courtyard area which will be enclosed by a mix of 4, 8, 9, 10 and 16 storey buildings all above the 2 levels of car parking. Given the scale of the built form this space amongst the group of linked buildings will be in shade at different points of the day the majority the courtyard space faces south and will therefore benefit from substantial periods of good sunlight during different parts of the day and throughout the year. As discussed earlier, the levels of wind velocity here are acceptable too. I am therefore very satisfied that the quality of the courtyard space will be sufficient to create a pleasant sheltered micro-climate that encourages people to use it for residential amenity purposes throughout the year
124. The scale of the building means, at street level, the streets will be much more overshadowed than at present. However, from the early afternoon onwards into the evening, Beaver Road will not be shaded by the building. This is beneficial as this is a main pedestrian and cycle connection into the town

centre. The scheme will only overshadow Avenue Jacques Faucheu but this is a very heavily vehicle dominated distributor road and is rarely used as a route in town by pedestrians or cyclists as vastly more pleasant alternative routes exist for this purpose.

125. I am satisfied the issue of overshadowing of the buildings has influenced the location of residential and commercial uses and the design approach to the main central amenity courtyard space in terms of positioning seating and soft landscape planting to provide comfortable external spaces around the buildings for residents, customers and pedestrians. I am content that the evidence demonstrates that the development is acceptable in terms of the effect on daylight and sunlight and confirms that the proposal would not have any adverse effect in these terms.
126. The applicants have undertaken daylight and sunlight assessments to the proposed residential units that form part of this application as well as on the Victoria Road Development which has a consented planning application located west of the proposed development. These were both based on Building Research Establishment Guidelines and British Standards.
127. I have looked at the analysis and agree with the conclusion that the results of demonstrate that the proposed development will not materially affect the daylight and sunlight amenity at the Victoria Road Development. I agree with the point that the inherent design of this property containing overhanging balconies and recessed windows which limit the availability of natural daylight and sunlight reaching some of the closest windows. Whilst a small number of bedrooms may have slight shortfalls in sunlight and daylight distribution, as bedrooms are considered less important in amenity terms than living rooms. I therefore support the conclusion that the effects here are not considered to be material and are therefore in line with the normal daylight and sunlight standards expected for habitable rooms in a development in this sort of urban environments. .
128. Given the urban location and the nature of the scheme, I acknowledged that there can be difficulty in fully satisfying sunlight and daylight criteria in flats where north facing rooms are inevitable, particularly with regards to the winter sunlight hours. Therefore, a flexible approach to applying the BRE target criteria has to be adopted here given the recognised site limitations in this urban location.
129. I am satisfied the sunlight and daylight values demonstrated within the whole scheme are positive and show that the vast majority of rooms will receive satisfactory levels of sunlight and daylight. I support the proposals on the grounds they will not result in an unacceptable level of sunlight and daylight.

Landscaping

130. Landscaping on the site is important given its urban nature and riverside location. The site is heavily constrained and the building fills much of the footprint and this is hemmed in by major road infrastructure which make the topography a little more challenging. For the area at the base of Avenue Jacques Faucheux banking there is no merit in making this area into an amenity space, so landscaping simply would be ornamental providing a softened outlook for residents and I support that approach. Between the building and the riverside, the landscaping successfully reflects that this is a low key amenity space for residents of the town houses with ornamental qualities important also. I am also satisfied that, through discussions with stakeholders, that the approach to really improve the edge to the riverside with new planting to replace some poor quality trees there, is generally supported as it is an important riverside route used by pedestrians and cyclists. It will be critical to provide an 8 metre wide access strip for maintenance of the river from the top of the bank and how this can be delivered and secured has been explored and agreed with the relevant stakeholders. Full details of the nature of the planting and species can be dealt with by imposing a suitable condition to any grant of permission.
131. The landscaping along Beaver Road is the most important challenge given the scale of the proposed building. However, opportunities are limited despite there being an existing grass verge and small trees already, as it is essential to provide vehicular access to the site, a turning area for delivery vehicles, a layby for refuse vehicles and access to and from this layby to move the refuse bins. Also, there is the need to consider the various entrances to the residential buildings and commercial units and potentially some external spill out space for these units at street level. Therefore, the scope to get strong structural planting along Beaver Road, whilst important, is challenging. One established tree may need to be removed along this street but the plans show 9 new trees will be planted. I support the approach to planting as a useful starting point and minimum requirement but I recommend a landscaping condition that looks at this space holistically with the need to provide a traffic calmed highway around the delivery turning area. Further assessment that looks at all the competing demands on this space in more detail and surveys the location of below ground services will help ensure as many trees as possible can be planted here. This will help improve the appearance of this currently rather poor quality street environment and help improve air quality and minimise wind around the base of the building. It will also improve the outlook of the proposed residential properties and those under construction across Beaver Road. I therefore support the initial landscaping proposals and recommend further conditions on hard and soft landscaping to provide an attractive edge at the base of the building and along the riverside.
132. The amount of landscaping provided on the decked courtyard situated directly above the car parking level is restricted by the structural limits of the building.

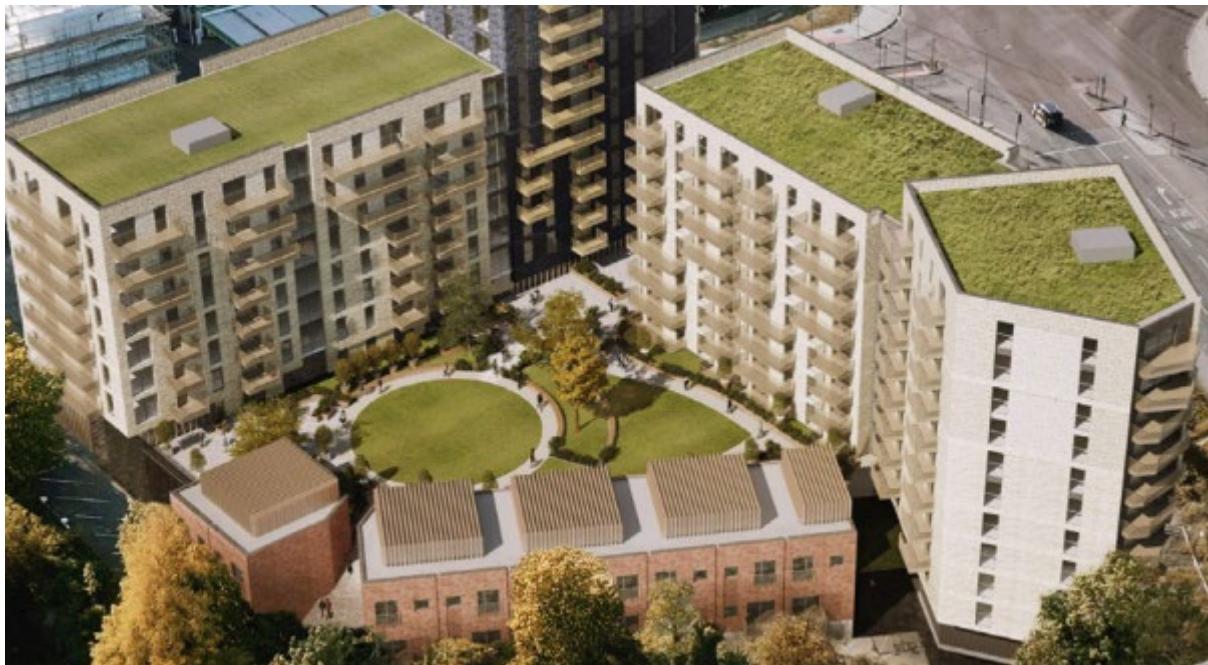


Figure 27 – Impression of landscaped decked courtyard and green roofs

133. In these circumstances, the proposals for grassed areas, pathways, seating and 3 semi mature trees is welcomed, but ideally more could be secured once the structural issues are explored further. Seating areas and the precise nature of the potential commercial ‘spill out’ seating areas around the north-west corner of the terraced deck need are also recommended to be dealt with by condition. I recommend the use of a landscaping condition to explore this further. I consider the small private amenity spaces for certain units with access to the deck is a positive design feature and will provide an interesting range of diverse spaces that are personalised to each appear individually distinct.
134. I am satisfied with the proposed quality of the landscaping and whilst further conditions are recommended to cover the precise detail, I am content this in accordance with policies SP1, SP5 and SP6 of the Local Plan.

Liveability

135. I have looked at the liveability of the proposed development and the quality of residential experience in terms of it meeting the National residential space standards. The proposals include 223 residential units comprising 214 apartments with mix of 1, 2 and 3 bed units and 9 townhouses which are all 3 bedroom. I am satisfied with the mix of units as follows;
 - 66 no. 1 bed apartments (30% of total) all shown as being over minimum National Space Standards size of 50msq.
 - 24 no. 2 bed apartments (55% of total), all shown as exceeding minimum National Space Standards size of 70msq.

- 24 no. 3 bed apartments (11% of total) all shown as exceeding minimum National Space Standards size of 74msq.
 - 9 riverside town houses (4%) Each with 3 bedrooms and with 4 floor levels, all shown as exceeding minimum National Space Standards size of 99msq.
136. I have analysed the Layout Unit House Types and the Schedule of Accommodation set out in the Design & Access Statement which indicate house types range from minimum sized apartments of 53-90 square metres and. The Design & Access Statement also states the 3 bedroom townhouses (5 person units) would have a floorspace of 128 sq. metres (sq.m) which is well over the minimum required size of 99 square metres. The amount of storage space required for these units ranges from 1.5 to 2.5 sq.m per unit and although the schedules and layouts do not indicate exact storage areas the units are all indicated to be sufficiently larger than minimum sizes so I am content with the internal space and storage options are in accordance with policy HOU12 of the Local Plan.
137. All the proposed flats will all have access to a minimum of 5 sq. m and up to 35 sq. metres of external private amenity space which includes rear garden spaces if located on the first floor adjacent to the quad, or balcony areas which will meet the policy requirements in terms of depth and width. The proposed townhouses overlooking the River Stour will each have access to a private rooftop terrace as well as a private area of open space to the rear of the dwellings. The sizes of the private amenity space in the Layout Unit House Types and the Schedule of Accommodation set out in the Design & Access Statement indicate that the standards meet ABC's Adopted Residential Space and Layout SPD which require a minimum area of private outdoor space per flat (in the form of balcony, roof garden or ground level patio or open space) ranging from 5-9 metres sq. according to number of spaces and not less than 1.5metres deep. I am satisfied all of the proposed balconies are oversized. Therefore, the proposed development is in accordance with Policy HOU15 of the Local Plan regarding private external open space.
138. However, to guarantee the quality and sizes of the units so I recommend a condition that requires the scheme to be accordance with approved plans showing unit sizes (gross internal floor area) as well as number of bedrooms and bed spaces (1-8persons); built in storage sizes (msq); minimum floor to ceiling heights for each unit; private amenity space area and depth of balconies.
139. In the D&A Statement, it states that all of the flats are accessible by lifts and all of the proposed dwellings will be built in compliance with building regulations part M4 (2). The applicant is proposing 100% of homes in this

application to be provided to those standards, well in excess of that required under Policy HOU14 of the ALP 2030.

140. There are 16 north facing flats which represents just 7.5% of the 214 flats. As the site is constrained and limited in terms of orientation and internal circulation I accept that this is an acceptable arrangement and the applicant has sought to minimise the number of north facing flats. Although it is not desirable to approve north facing units on residential amenity grounds, on balance with the other benefits of providing the courtyard, generous internal space standards and private amenity spaces, I can support the inclusion of this very low number of north facing flats.
141. The proposed mix of dwelling sizes here is one that I consider acceptable and I am satisfied that policy HOU18 of the ALP 2030 is satisfactorily met.
142. Finally in respect of residential standards, due to the constrained nature of this development site and the scales of the built form, the internal configuration of circulation and access space through site for all residents is especially important to make movement as convenient as possible. I support the location of the main pedestrian entrance lobby to the scheme directly off Beaver Road, which I consider will serve as an active safe and lively area for residents. The location of further entrances to the second block off the courtyard are clear and logical and will help ensure the courtyard has relatively busy active role. Whilst there is a reliance on long internal corridors between units, the proposed security system will control resident's access and limit it to their own areas which will help the residents feel secure.
143. I am satisfied the access routes for residents from lifts, car parking areas, cycle stores and refuse stores is logical and convenient. Safe level and convenient access is provided for disabled residents and visitors from the main entrance and car parking spaces to apartments. A set of steps leading from the landscaped terrace to the riverside is proposed, although a ramped access was deemed implausible due to the height of podium and required space access from the lifts to the riverside is possible. I am satisfied on these grounds that accessibility and safety within the complex will be possible and support the proposals on these grounds.
144. With the potential for commercial uses at ground floor and on the top floor close to resident's windows and balconies, a condition is recommended to ensure suitable infrastructure is provided to enable appropriate air extraction systems, related to smell and heat during food preparation. This also applies to air conditioning systems. The basic infrastructure can be easily installed for each commercial unit to ensure suitable systems can be installed to ABC Environmental Health standards to avoid any detrimental impact on residential amenities. This will not only provide better flexibility for each commercial unit and help their viability for potential users, it would also be important in avoiding piecemeal systems and ducting being added externally to the building at a later stage which would harm the architectural fabric of the

building and risk more disruption to the residential amenities for flats above or around these potential commercial units. In particular this could be through extracted air that could generate noise, vibrations, cooking fumes, heat or air turbulence. I am satisfied that this condition is necessary to include to protect residential amenities.

Sustainability & Air Quality

145. I have considered the sustainability and climate change implications of the proposed to be delivered by the strategic objectives that are set out in Policy SP1 of the Local Plan 2030. Development is required to be focussed at accessible and sustainable locations in Ashford Town Centre, to help promote healthier lifestyles and promote choice of transportation as well as make the best use of suitable brownfield opportunities on sites like the application site design.
146. Paragraph 8 of the NPPF states that achieving sustainable development means improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. The applicant submitted a Sustainability Statement and the proposals include a satisfactory range of sustainability measures to tackle climate change issues.
147. I am satisfied that sustainable construction and energy conservation has influenced the detailed design of the scheme, form of proposed dwellings and final layout of the site. The development will be energy efficient and will use sustainable methods of construction. The proposals not only include a green roof system, it will use materials of low embodied energy and materials from sustainable sources, use of non-oil based materials and ability to re-use and recycle materials. Wherever feasible, materials employed in key building elements (roof, external walls, internal walls, etc.) and hard landscaping will be selected in line with the Green Guide to Specification with a low environmental impact (including embodied carbon) over the full life cycle of the building.
148. The energy efficiency targets for the building will be in accordance with the latest efficiency standards of Building Regulations the detail of which will be determined by condition. I am satisfied that in terms of energy efficiency, the building will seek to maximise natural light, and use efficient mechanical and electrical equipment such as condensing boilers and low energy lighting lamps. External lights will be operated by a daylight sensor and passive infrared movement detectors to limit light pollution and minimise energy use. The building will also use high thermal performance insulation.
149. The development is expected to generate a projected carbon reduction of 5.11% in comparison with the predicted baseline. This will be achieved by efficient building design, with the use of renewable energy generation and

good practice environmental design, including good daylight and acoustics and water efficient measures. The development facilities will include opportunities for recycling and implementation.

150. With regards to reducing water consumption, there will be dual flush toilets, low water use spray taps, water saving white goods and the installation of water butts.
151. The ecology and landscape information submitted as part of the application highlight the measures for mitigating potential impacts and the measures to provide net gains in biodiversity.
152. The applicant has also confirmed there will be basic infrastructure installed as well as sufficient spare capacity to accommodate electric car & bicycle charging points if required at some point in the future. A future-proofing strategy for the other parking areas can be secured by planning condition to ensure that in the future unnecessary disruption to what is constructed now is avoided in terms of increasing charging points. I view this as sensible good design.
153. Sustainability measures are proposed within the scheme such as green roofs and this is in accordance with policies ENV7, principles of policy ENV10 and the current building regulations for residential buildings. The site is also highly sustainably located with good access to a range of sustainable transport modes.
154. An *air quality impact assessment* was submitted by the applicant. It concluded the potential impact of the proposed development on local air quality and during the construction phase would be 'Not Significant'. I am satisfied the proposal does not pose a risk to air quality to residents either during construction or once operational. I am satisfied the proposal is therefore acceptable in terms of Policy ENV12 of the ALP 2030.

Biodiversity

155. The development has no detrimental impact on biodiversity and provision of ecological enhancements will be dealt with by condition relating to the implementation of a landscaping scheme that supports biodiversity. The inclusion of green roofs will help with sustainable surface water drainage and this will also have benefits for biodiversity.
156. Through amendments to the scheme, additional tree planting and higher levels of public realm landscaping have been secured which will assist in carbon treatment and biodiversity, whilst bringing very real environmental benefits in reducing heat island effects and providing shade in summer.
157. Construction works will be controlled by conditions to ensure adherence to sustainable construction site management practices including sourcing of sustainable timber along with an effective Site Waste Management Plan

which will collectively help to reduce environmental impacts of the construction site.

158. The applicant's proposals highlight that the water efficiency requirements of Policy ENV7 of the ALP 2030 would be met. This can be dealt with by planning condition.

Refuse collection

159. The design has been challenging in terms of accommodating a suitable provision of storage and collection arrangements for refuse from the lower ground floor storage area which is actually set below street level. After further discussions, the following improvements have been agreed:-

- The size of the bin store was increased
 - The slope of the ramp from lower ground floor up to street level was reduced and a freight platform lift was added to provide alternative to using ramp.
 - A shorter more direct route from the bin store to the on-street refuse truck layby is proposed to reduce distance of pull for bins for refuse contractors down to 10metres.
 - Refuse to be collected from town houses by a management company and taken to communal refuse store.
 - Management Company to move bins refuse store to a presentation area at front of building at the top of the ramp where they are collected by ABC's contract company.
 - Cleanliness of bin store will be maintained by the Management Company. An on-site bin maintenance room will be provided for the Management Company bin store.
160. Following discussions with the applicant and the Street Scene & Open Spaces Officer, Environmental and Contracts it has been agreed that with the site being managed by a private company and, based on the above improvements for ABC contractors to only collect bins from the front of the site, they are satisfied the provision in place will enable the safe collection of refuse by ABC contractors. It was however evident that a request for a second freight lift platform was difficult to achieve given the levels and would result in the loss of storage space which I felt would be difficult given the site constraints. Instead, a number of conditions are recommended to ensure the minor detailing can be refined with input from the Street Scene & Open Spaces Officer. I am therefore satisfied with the waste and refuse provision subject to the recommended conditions.

Broadband provision

161. The Council considers that Fibre to the Premises (FTTP) is essential infrastructure and vital to the delivery of sustainable development. In terms of

the provision of broadband infrastructure, the applicant will have to work with providers to ensure superfast broadband is available for the site on sustainability grounds. I recommend imposing a condition on the planning consent requiring a FFTP statement explaining how fibre to the premises will be provided to serve the development and that it will be engaged at first occupation, or an alternative in accordance with policy EMP6 of the Local Plan Proposals. This FTTP Statement, will need to be agreed by the Council.

Designing out Crime

162. Both the applicant and I have met separately with Kent Police's Designing Out Crime Officer to look at the proposals in relation to Crime Prevention Through Environmental Design (CPTED). This was to discuss and answer questions regarding the crime and safety matters connected to the design of the development and relationship to the International Passenger Station. Based on this meeting I am satisfied that this is an appropriately designed development based on a clear distinction between public and private spaces. The new buildings and landscape will create continuity of form and enclosure to the street, and allow overlooking and natural surveillance of the street and footpaths. The proposals and recommended conditions will cover all the main issues raised by Kent Police, so I support the scheme on designing out crime themes and objectives and do not consider there to be any need to amend the layout or design of the scheme or add specific Designing Out Crime issues.
163. I am therefore satisfied that the proposals are in accordance with policy SP6 (e) and paragraph 2.182 in the adopted Local Plan which promotes high quality design as the proposals will help create a safe environment by reducing the potential for anti-social behaviour and crime.

Conclusion on design matters

164. In conclusion, I consider the proposals accord with the objectives of the Vision, and policies SP1 and SP5 and SP6 of the Local Plan by providing high quality design in the town centre that promotes a positive sense of place through the design of the built form, the relationship of buildings with each other and the spaces around them, and which responds to the prevailing character of the area would make the best use of previously developed land.

(c) Whether the proposals are acceptable in terms of affordable housing;

165. Policy HOU1 of the Local Plan 2030 'Affordable Housing', states that flatted development in the identified Ashford Town area will not be required to provide any form of affordable housing. This stems from the whole plan viability testing that supported the Local Plan 2030 which showed that flatted schemes in the town centre could not viably progress if affordable housing was required.

166. However, this application also includes nine town houses to which a 20% affordable housing requirement could be sought under Policy HOU1 as the site area exceeds the 0.5ha minimum qualifying area.
167. This would result in a requirement for a maximum of 2 affordable home ownership units, to be provided as part of the town house element of the scheme. In practice, I consider this means it would be difficult to secure a Registered Provider to take on such a small number of affordable units here. This position is reflected in comments received from the Council's Housing Department.
168. I am therefore content that an off-site contribution would be appropriate in the circumstances. The commuted sum figure has been derived from using the affordable housing calculator and is reflected in Table 1 below. In my view, this approach is consistent with Policy HOU1 part 2c and secures a proportionate contribution from the development towards affordable housing.

(d) Highways impacts - The impact of the development on the local highway network including the acceptability of the Beaver Road and Avenue Jacques Faucheux junction upgrade; the access and provisions for delivery and servicing for the site; and the proposed pedestrian and cyclist environment.

169. In terms of vehicular access, the application proposes to create an upgraded point of access onto Beaver Road to access the proposed development. A Transport Assessment was submitted as part of the planning application documentation to fully address the transport implications of the proposed scheme.
170. The scope of the Transport Assessment has been developed with KCC Highways as part of KCC's pre-application process, prior to the submission of the planning application. This included junction modelling work which was required to be carried out prior to the submission of the planning application.
171. During the course of the planning application, it has been agreed that an extended raised table entrance at the site access shall be introduced to reduce vehicle speeds on Beaver Road. It is envisaged that this will allow for a safer environment in which larger delivery vehicles can turn if necessary. For example, a ten metre rigid vehicle can reverse into the site access if required, unload and then turn back north onto Beaver Road whilst having no significant detrimental impact upon the highway safety of the local area or neighbouring occupiers.
172. These works will come forward through a Section 278 Agreement agreed as part of the access works. The raised table will ramp up/down either side of the

access junction and will not extend a material distance beyond this. The arrangement will be subject to a detailed design as part of the Section 278 Application. It is therefore considered that this is in compliance with the criteria set out within adopted Local Plan policy TRA9 which sets out acceptable capacity for heavy goods vehicle (HGV) movements.

173. Furthermore, the proposed parking bays have been tracked for manoeuvrability and the proposed access point on Beaver Road can provide sufficient visibility splays which will be secured and assessed via the imposition of planning conditions.
174. Adopted Local Plan policy TRA5 states that development proposals shall demonstrate how safe and accessible pedestrian access and movement routes will be delivered and how they will connect to the wider movement network. Also, opportunities should be proactively taken to connect with and enhance Public Rights of Way whenever possible, encouraging journeys on foot. The proposed development incorporates pedestrian access into the development from the lower ground, ground and first floor. There is public access to the commercial units on the ground floor, including the cafe on the ground floor. There are private entrances for residents on all three floors, with circular routes around the communal green space on the first floor leading to steps down to pathways and green spaces fronting the river. It is therefore considered that the development will encourage, enhance and promote active travel through the site to the wider local area.
175. Similarly, the proposed bin store is located on the lower ground floor and is designed for the residents of the apartments, while each town house has an individual bin store. The management company for the development will be responsible for collecting the refuse from the town houses and depositing them into the communal bin store. On refuse collection days, the bins will be taken from the communal storage by the management company and picked up from the refuse collection point fronting Beaver Road.
176. Despite the request from Stagecoach to include funding for a new pair of bus stops on Beaver Road, I do not feel this is necessary given the site's proximity to existing bus stops on Beaver Road bridge and with other bus stops at the entrance to the railway station being directly across the road from the proposed development. I am satisfied with the current easy access to bus stops that exist and do not feel extra bus stop funding would be appropriate or justified.
177. A draft Travel Plan has been developed and is submitted as part of the planning application. The Plan states that the interim target will be to reduce travel to and from the site in single occupancy vehicles by at least 5% in the first five years of occupation. The incentives and measures which could be

used to achieve this target are set out within the draft Travel Plan. A full Travel Plan will be secured via the imposition of a planning condition and incorporated within the S106 agreement, once base travel surveys have been completed and assessed by the Local Planning Authority. It is considered that this is in accordance with Local Plan policy TRA8.

178. KCC Highways and Transportation raise no objection to the scheme in its amended form. In light of the above, I am satisfied that highway safety concerns have been appropriately considered and mitigated and there are no reasons to refuse the application on highway safety concerns. Therefore, it is considered that the development proposals are in compliance with policy TRA7 of the Local Plan and would not lead to significant or 'severe' impacts on the local highway network.

e) Parking Impacts - The quantum of on-site parking provision for vehicles and cycles and including electric charging provision.

179. With regard to car parking, the proposal will provide 200 car parking spaces on two levels to the rear of the building (at lower ground and ground floor level). Given the site's town centre location and associated transport links, including the stations, bus routes and pedestrian and cycleway connections, it is considered that this level of car parking space provision (which amounts to 0.9 spaces per unit) is appropriate and will have no significant detrimental impacts to the surrounding area. In addition, 5 accessible car parking spaces will be provided on the ground floor, and 2 on the lower ground floor which accounts for 20% allocation. The level of residential parking spaces proposed is slightly below the average 1 space per unit sought under policy TRA3 (a), however, given the opportunity to travel by sustainable modes from the site, it is considered likely that car ownership levels are likely to be lower than one space per unit, in this location. Therefore, the specific local circumstances and nature of the proposals are adequate to justify a very slightly lower average parking provision in this case. It is also reasonable that visitor parking and parking associated with the commercial uses that are part of the scheme would be accommodated in one of the nearby public car parking facilities. As KCC Highways also raise no objection on this issue, I consider that the scheme complies with policy TRA3 (a) of the Local Plan.
180. In terms of deliveries, a layby outside of the site in Beaver Road will be created for delivery vehicles and a refuse vehicle to pull in and unload/load.
181. Local Plan policy TRA6 seeks to improve conditions for cyclists by promoting and developing a Borough-wide network of cycle routes, including safe, convenient and attractively designed cycle routes with, where possible, connection to the Borough-wide cycle network. In addition, it seeks to promote and provide cycle parking facilities in town centres, at railway stations and at

major public buildings, and requiring new development to provide cycle parking facilities in agreement with the Council. The proposed cycle storage is located on the lower ground and ground floor. There are 240 cycle spaces using the 2-tiered Josta system, with 2 cycle spaces for each town house. There is an allowance for 35 cycle spaces allocated for public use using Sheffield stands that accommodate 2 cycles per stand:

- 1 for commercial space A (170sqm)
- 2 for commercial space B (246sqm)
- 7 for the café (assumed 70 seats)
- 25 for the restaurant (assumed 250 seats)

182. Cycle spaces for public use are located outside the commercial units fronting Beaver Road. It is therefore considered that the development proposals accord with the criteria set out within this policy and is acceptable.
183. A number of car parking spaces have been allocated for electric charging points, with 46 passive and 46 active spaces in which to encourage sustainability within the development. Active electric vehicle charging infrastructure (i.e. for 46 spaces) will be installed immediately, and 'passive' infrastructure will also be incorporated with physical conduits to support future charging points, and the reservation of electrical capacity (i.e. there will be capacity and infrastructure installed to enable a further 46 charging spaces to be provided in the future if required).
184. The electrical vehicle / bicycle charging is managed by load sharing / management equipment which spreads the load across all charge points equally determined by the amount of units in use at any one time to ensure there are no demand spikes or potential current demand overloads. Thusly, this is compliant with Kent County Council and Local Plan requirements.
185. In terms of spare electrical load capacity for additional electric vehicle charging points beyond those already included and/or suitable electrical supply to the bicycle stores for electric bicycle charging points, it has been confirmed by the applicant that the maximum demand load for the site has been assessed and it is noted that there will be sufficient spare capacity to accommodate additional electric car & bicycle charging points if required at some point in the future. Basic infrastructure in terms of electricity supply can be provided within the proposed cycle store.
186. In conclusion am satisfied that the level of parking provided would be appropriate for this sustainable location and I therefore consider that the approach to car and cycle parking provision is an acceptable one in accordance with TRA3(a) and TRA6.

(f) Flood Risk & Drainage - Whether the proposal is acceptable in terms of flooding based on the sequential test, and surface water drainage.

187. Policy ENV6 of the Local Plan requires that development should only be permitted where there would not be an unacceptable risk of flooding on the site itself, or any increased risk of flooding elsewhere. The Flood Risk Assessment that accompanies the application shows that around half of the site lies in Flood Zone 2 (medium probability of flood risk).
188. Environment Agency guidance requires bedrooms in the development to be set 700mm above the 1% AEP. As such the finished floor levels for bedrooms should be a minimum of 37.79m AOD. The proposed ground floor (the first bedroom level) has been set at 40.00m AOD, over two metres above this level. It should also be noted that there is a lower ground floor set at a finished floor level of 37.00m AOD, however there are no bedrooms on this level as it is predominantly car parking.
189. Appendix C of the Flood Risk Assessment shows that the site is defended up to and including the 1% AEP + Climate Change 20% storm, additionally according to EA Flood Maps there has been no recorded instances of flooding. In the highly unlikely event that the flood defence fails during the 1% AEP + climate change event, water would flow into the lower ground floor at a maximum depth of 790mm, this is well below the lowest bedroom level of 40.00m. Therefore, the risk of fluvial flooding is considered to be very low.
190. A flood risk sequential test has also been submitted at the request of officers. This is to demonstrate whether there may be alternative sites that could realistically deliver the same nature of development and planning benefits be delivered on a site with less overall flood risk than the application site.
191. In this case, the applicant has submitted a sequential test that focuses on alternative town centre or near town centre brownfield sites, many of which are allocated in the adopted Local Plan. Several of these run along the river corridor along Victoria Way and many have planning permission, resolution to grant planning permission or are already under construction. In addition, a range of other, non-allocated sites derived from the Council's most recent Strategic Housing Land Availability Assessment.
192. The sequential test considered a total of 23 alternative sites but these were discounted as alternatives due to the lack of size of site, unavailability of the site or a worse potential flood risk due to being in, or partially in Flood Zone 3.
193. The design of the development has paid close attention to the proximity of the river corridor and the relative flood risk arising from that and the levels on the

site. Bedroom floor levels are set well above any potential flood level and the sequential test exercise has confirmed that no realistic alternative sites with lower flood risk are available. As such, I am content that policy ENV6 has been satisfactorily met.

194. In terms of surface water drainage, policy ENV9 of the Local Plan seeks to ensure that schemes work as hard as possible to both meet expressed minimum standards of performance and exceed them wherever possible. It also states that on previously developed land, development must endeavour to achieve 4 l/s/ha runoff or seek to achieve 50% reduction of existing peak runoff rates for the site where existing discharge rates can be established.
195. The proposals indicate the existing 1:100 year rain event for the site would result in a discharge rate of 169 litres per second (l/p/s). This is a high rate resulting from the preponderance of impermeable surfaces there at present.
196. The levels on the site are challenging and discussions have focused on whether there is an opportunity to provide for attenuation within the car park with both the KCC SuDS team and the Internal Drainage Board (IDB) especially keen to explore a sustainable solution to avoid pumping by providing storage within the car park subgrade level. KCC initially suggested a fuller assessment of a gravity solution including options such as appropriate geocellular storage units e.g. permavoid, which can be installed together with a very shallow plastic flow control chamber or the downspout discharge to an ACO channel, dished channelled or a downspout rain garden.
197. Permeable Asphalt discharging to ground is proposed for the main access road to the development. However, there was substantial concern from the KCC SuDS team and the IDB over the applicant's reliance on below ground attenuation storage and the way this results in the need for a pumped system. A pumped system is not generally regarded as a sustainable drainage system by KCC or the IDB and they felt it did not comply with the NPPF or policy ENV9 of the local plan.
198. However following negotiations it is clear that pushing for a highly sustainable alternative to a pumped drainage solution was extremely challenging on the site given the nature of the building and the low ground levels in close proximity to the river. A green roof system has been incorporated though and this has been welcomed by the relevant stakeholders. It is now calculated that the development can achieve a maximum discharge rate of 84 litres per second in all rainfall events. As a result, the scheme can demonstrate that a 50% reduction over the current runoff rate.
199. A further condition is recommended to ensure the operation of the surface water drainage system will perform to the agreed standards. The proposals indicate the existing 1:100 year event equals 169 litres per second (l/p/s) and the scheme would result in 84 l/p/s in all events. As a result there will be no net increase in run off rates from the proposed development I consider that 50% reduction is therefore achieved.

200. Whilst a pumped solution is not a sustainable drainage system with the additional SUDs features such as the green roof and based on the 'unique' circumstances of the site location on 'balance' this approach would be acceptable.
201. KCC SuDS team have now stated that they do no object to the proposal subject to the inclusion of drainage conditions that demonstrate the drainage proposals can be delivered and maintained.
202. Accordingly, subject to drainage planning condition I am satisfied the non-gravity surface water drainage proposals are broadly in accordance with the policy ENV9 of the local plan.
203. In terms of foul water drainage, Southern Water have indicated the development lies over an existing public combined sewer which they do not find acceptable. They have suggested it might be possible to divert this sewer provided there is no unacceptable loss of hydraulic power. Southern Water state they require further discussions with the developer before commencement stage. They also point out if further sewers are discovered during construction works, the works should stop and further investigations to ascertain ownership should happen before works recommence. The applicant has highlighted in their Planning Statement they are aware of the sewer and have designed the scheme with it in mind accordingly.
204. Southern water feel the additional sewage generated by this development will lead to an increased risk of flooding unless network reinforcement is provided. Southern Water have requested the developer will need to work with them to review the proposed occupation of the development with the developer to ensure it works for the occupiers and to ensure the sewerage network reinforcements can be tested and monitored in order to provide adequate waste water network capacity to enable the development to adequately drain.
205. Southern Water want to ensure if any SUDs schemes are delivered the relevant authority considers the adequacy of the proposals to discharge surface water to the local watercourse. Also they are keen to ensure surcharging within the public sewerage system is avoided in order to provide the protection from the risk of flooding.
206. I am satisfied with the recommended conditions requiring further discussion between the LPA, Developers and Southern Water can deal with the foul water and sewerage challenges faced on this site.
207. Whilst it is accepted that a pumped solution is not a sustainable drainage system, with the additional SuDs features such as the green roof and based on the particular circumstances and constraints of the site location, on balance this approach is regarded as acceptable and sufficiently in accordance with policy ENV9 of the Local Plan.

(g) Impact on Ecology and biodiversity

208. Policy ENV1 of the adopted Local Plan sets out how proposals that conserve or enhance biodiversity will be supported. Proposals for new development should identify and seek opportunities to incorporate and enhance biodiversity. In particular, development should take opportunities to help connect and improve the wider ecological networks.
209. Policy ENV2 refers specifically to the Ashford Green Corridor. The protection and enhancement of Ashford's Green Corridor is a key objective. Development proposals on land adjoining the Green Corridor shall provide suitable access and links to the existing movement networks of the adjoining Green Corridor wherever possible. They must not cause significant harm to any of the key features and functions and should make a positive contribution to the Green Corridor in respect of its environment, biodiversity, visual amenity, movement networks or functioning and its setting.
210. A preliminary Ecological Appraisal and an Arboricultural Survey have been submitted in support of the planning application. The preliminary Ecological Appraisal concludes that the development can proceed with minimal impact to habitats and protected/notable species if mitigation measures are implemented. The appraisal also recognises that there is an opportunity to enhance the development for local wildlife in the long term by implementing enhancement measures.
211. One bat emergence survey has been carried out in relation to 'Building B1' and 'Building B2' on the site. In addition, it is advised that if works take place within 5 metres of the riverbank within the south west corner of the site that a walkover survey is carried out by a suitably experienced ecologist prior to works commencing to confirm there are no signs of water vole presence. This can be dealt with by way of the imposition of a planning condition.
212. The site falls within the Wye and Crundale Downs SSSI Impact Risk Zone (IRZ), however the development does not meet criteria for impacts that would likely lead to a significant effect on this SSSI. Therefore, no mitigation is required for this SSSI. There are no habitats or species within the site that serve as qualifying features of the SAC and Ramsar sites. The application site is not ecologically linked to these sites due to the intervening land being extensive urban infrastructure with agricultural land beyond. As such, it is considered that the proposed development will have no significant impacts upon international and European designated sites.
213. The proposed development is adjacent to the Ashford's Green Corridor Local Nature Reserve (LNR) which follows the River Stour watercourse. The existing development on the site does not address the river and the section of river which flows past the site currently, is notably overgrown and not maintained. The application proposals include the provision of townhouses

overlooking the river and landscaped steps allowing access to the river frontage by residents of the development. The intention is to retain and enhance the trees and landscaping on the river frontage. Proposed enhancement plans for the cycleway/greenway to the south of the application site and on the south side of the River Stour are incorporated and there is the potential to provide contributions towards these improvement works. Indeed, the preliminary Ecological Appraisal suggests the following mitigation measures may be appropriate and feasible to offset any visitor pressure impacts:

- Additional signage notifying people of the importance of the habitats and the need to prevent litter;
 - Provision of additional general and dog waste bins;
 - A financial contribution may be necessary to secure the above measures and/or offset visitor pressure impacts by means of habitat improvements or creation within the LNR; and
 - If volunteer schemes are currently in place to maintain the LNR habitats, new residents should be made aware of the opportunity to get involved.
214. Further, the following additional measures, as recommended by the ecologist, will be incorporated where feasible to mitigate any potential impacts upon protected species and to provide net gains in biodiversity:
- One bat emergence survey between May and August;
 - Construction Environmental Management Plan to be created to ensure prevention of air- and water-borne pollution of the adjacent watercourse and riparian habitat during construction;
 - No construction works within 5m of the top of the river bank within areas that are not currently tarmacked;
 - Sensitive lighting strategy for bats to ensure that the river corridor is not subject to any additional artificial lighting, and thus impacts to nocturnal wildlife using the habitat will be negligible;
 - Retention of native trees where possible and replanting of any trees lost with native specimens of local provenance;
 - Replacement of scrub habitat and ivy growth on site which provides suitable forage for local invertebrate species, with species that provide benefit to local invertebrates
 - Clear the buildings between September and February to avoid the breeding bird season;

- Invasive species found on site to be disposed of at an appropriately licensed waste-disposal facility to ensure that this invasive non-native species is not spread off-site.
215. In addition to above the following recommendations will be incorporated where feasible to enhance the value of the site for wildlife, as encouraged through the National Planning Policy Framework:
- Planting a native hedgerow along the eastern boundary to increase habitat connectivity around the site and from the river habitat;
 - Installing three general bird boxes and/ or sparrow terraces onto retained suitably mature trees and / or new buildings at least 3m above the ground, avoiding direct sunlight (not directly south-facing) and prevailing wind;
 - Installing bat boxes onto a retained suitably mature tree along the river corridor and/or new building. These will be installed at least 5m above the ground and face in a southerly direction, so that it receives sun for part of the day;
 - Installing two insect houses in sheltered, warm locations e.g. within any new flower beds within the public open space to provide over-wintering sites for beneficial insects such as lady birds and lacewings, which typically prey on pest species;
 - Creating and maintaining a swathe of grassland along the eastern or northern boundary to provide relatively undisturbed habitat for invertebrates and birds;
 - Avoiding use of slug pellets and using environmentally safe wood preservatives.
216. In terms of mitigation for the watercourse, it is suggested in the preliminary Ecological Appraisal that a Construction Environmental Management Plan, Drainage Strategy and Lighting Strategy is created to minimise impacts on the adjacent river which forms part of the Great Stour Ashford to Fordwich Local Wildlife Site. This may be imposed by way of appropriate planning conditions.
217. Non-native species invasive species of Cotoneaster sp. and Japanese Knotweed have been identified on the site and mitigation measures will be secured to contain, control and eradicate the identified Japanese Knotweed from the site before pre-construction and construction activities.
218. In terms of ecological enhancements, it is proposed that a native hedgerow is planted on the eastern boundary and wildlife boxes for birds, bats and insects are incorporated together with uncut grassland. The proposed landscaping masterplan incorporates these suggestions.

219. With regard to trees, a Tree Survey has been carried out to appraise the tree stock on the site. Existing trees are predominantly situated on the river embankment. Many of these trees have offset root protection areas due to a concrete retaining wall and the river itself. No evidence was found of root growth within the adjacent tarmac and concrete surfaces adjacent to these trees. A total of 20 individual trees and one tree group were surveyed. Six trees were classified as Category B and 12 with one tree group as Category C. The remaining 2 trees were classified as Category U.
220. Various measures to offset visitor pressure of the green corridor and local nature reserve will be covered by a Green Corridor improvement plan condition to address the improvements. As an example additional signage notifying people of the importance of the habitats and the need to prevent litter.
221. Therefore, through the imposition of suitable planning conditions as recommended by the County Council's ecology advisor and those identified above, it is considered that the proposed development complies with local plan policy advice set out in Policies ENV1 and ENV2.

h) Community leisure facilities and infrastructure

222. Looking at open space provision, the Council's Public Green Spaces and Water Environment SPD establishes the quantitative, qualitative and accessibility standards of green space and water environment provision to be applied in new developments. This position is supported within policies COM1 and COM2 of the Local Plan 2030 which also sets out how outdoor and indoor sports provision should be delivered.
223. Given the nature and location of this site, and the Council's policy position in terms of the delivery of such infrastructure and facilities, this provision shall be delivered off-site via commuted payments.
224. For the relevant Green Spaces and Water Environment SPD provision, Cultural Services have provided an initial series of requests (*see consultations section*). For the sports element, figures have been derived from the Sports England Calculator, as prescribed in Policy COM2 of the Local Plan 2030.
225. Through negotiation, these initial figures have been reduced and consolidated so that S106 contributions can be targeted towards specific nearby projects. This approach is largely influenced by the site being within easy walking distance of a range of existing provision, including a number of play areas, the Stour Centre and the nearby Victoria Park which is accessed by the Green Corridor that abuts the site. The connectivity and accessibility to this key open space area is enhanced by the planned traffic calming improvements to Beaver Road that will be delivered as part of this development.

226. As such, the S106 contributions from this scheme relating to informal and natural greenspace and play will be directed towards improvements to Victoria Park and the Green Corridor. Victoria Park is an existing, strategically important, area of green space that lies within the urban area of the town. The Council also have plans to improve, restore and redevelop the Park, and financial contributions from this scheme will help realise this ambition, and complement the initial funding already secured from the HLF and the Big Lottery Fund's Park for People programme. Cultural Services support this targeted approach to the delivery of S106 contributions in this instance.
227. For sports provision, the starting point is Policy COM1 and COM2 of the Local Plan 2030 which advocates the use of the Sports England Calculator. (It should be noted that this scheme isn't large enough to generate a specific response from Sports England.)
228. With regards to the overarching policy approach, Policy COM2 identifies the Town Centre as a key community sports and recreation 'hub'. This recognises the variety of facilities and provision that exist already, including the Stour Centre which provides for a range of indoor sporting activities and the green corridor and Victoria Park which provide substantial outdoor recreational space. Given these factors, coupled with the site's close proximity to these facilities, a refined approach to the headline figures of the SE Calculator has been applied. Doing so allows the money to be directed towards specific projects in the Town Centre, including improvements to the Stour Centre – a facility that is likely to be heavily used by the new residents. This approach is consistent with Policy COM2 of the Local Plan as the Calculator is the starting point that should be refined as required.
229. With regards to allotment provision, no contributions are being sought for this scheme. This partly reflects the context, as outlined above, but also that no capital improvements could be specifically identified through discussions. There are also existing developer contributions which could be spent on allotment provision in the local area.
230. On balance, I am content that the package of S106 contributions, for the provision set out above, is appropriate and policy compliant. It ensures that the money is targeted towards specific projects that will benefit the residents and reflects the relevant local circumstances.

(i) Planning Obligations - Mitigating the needs arising from the development through Section 106 obligations

231. 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 125
232. Given the assessment of the proposals set out in the sections of this report 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.

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts (s)	Trigger Points (s)	
Potentially applies to any size/scale of residential development				
1. NHS – Primary Healthcare Towards provision in the Ashford Stour Primary Care Network	£804.48 per dwelling	Trigger for payment to be agreed in accordance with a phasing plan.	<p>Necessary: as more population will place extra pressure on the health service. Approach is compliant with Policy COM1, COM2 and IMP1 of the Local Plan 2030.</p> <p>Directly related: as occupiers will use healthcare facilities and the facilities to be funded will be available to them.</p> <p>Fair and reasonably related in scale and kind: the calculation derived reflects the scale and nature of the development and targets a capital project to be delivered locally.</p>	
2. ABC – Monitoring Fee – Contributions towards the Council's costs of monitoring compliance with the agreement or undertaking	£500 per annum until the development is completed.	First payment on the commencement of the development and on the anniversary therefore in subsequent years	<p>Necessary: in order to ensure the planning obligations are complied with.</p> <p>Directly related: as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p>Fair and reasonably related in scale and kind: relates to the scale of the development and the obligations to be monitored.</p>	
3. ABC – Affordable housing – Offsite contribution to be paid towards the delivery of affordable housing within the urban area.	Commuted sum payment of £144,200	Triggers to be paid in accordance with an agreed phasing plan.	<p>Necessary: in order to aid the delivery of affordable housing and compliance with Policy HOU1 of the Local Plan.</p> <p>Directly related: figure derived in lieu of on-site contribution</p> <p>Fair and reasonably related in scale and kind: relates to the scale of the development and calculated as such.</p>	

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4.	ABC – Outdoor Sports – Contribution towards outdoor sports pitch provision at Ashford, to be targeted toward quantitative or qualitative improvements at the ‘hubs’ identified in the Local Plan 2030 Calculations derived from the latest Sports England Calculator, as prescribed in Policy COM2 of the Local Plan 2030	£727.00 per dwelling (capital and maintenance).	Trigger for payment to be agreed in accordance with a phasing plan.	<p>Necessary: as outdoor sports pitches 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 COM1, COM2, and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF</p> <p>Directly related: as occupiers will use sports pitches and the facilities to be provided would be available to them.</p> <p>Fair and reasonably related in scale and kind: considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
5.	ABC – Indoor Sport Buildings Capital contribution to go towards the Stour Centre improvements or at indoor sport buildings at Ashford, to be targeted toward quantitative or qualitative improvements at the other ‘hubs’ identified in the Local Plan 2030. Calculations derived from the latest Sports England Calculator, as prescribed in Policy COM2 of the Local Plan 2030.	£406.61 per dwelling (capital only, in line with SE Calculator).	Trigger for payment to be agreed in accordance with a subsequent phasing plan	<p>Necessary as additional indoor sports facilities 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 COM1, COM2, and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use sports pitches and the buildings to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>

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6.	ABC – Strategic Parks Capital contribution towards provision of Conningbrook Country Park. Management and maintenance of Conningbrook Country Park	£142.80 per dwelling (capital and maintenance).	Trigger for payment to be agreed in accordance with a phasing plan.	Necessary to meet the additional demand for use of the country park 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. Directly related as occupiers will use the strategic park and the facilities to be provided would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained, and taking into account the provision of the bridge
7.	ABC – Informal/natural greenspace: Off-site contribution to be targeted towards the adjacent Green Corridor and nearby improvements being proposed at Victoria Park or at nearby informal/natural greenspace.	£581.22 per dwelling (capital and maintenance)	Trigger for payment to be agreed in accordance with a phasing plan.	Necessary as informal open space 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, and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF. Directly related as occupiers will use informal open space and the facilities to be provided would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained
8.	ABC – Play provision Provision of play facilities off-site, within the Town Centre area, including the Victoria Park area.	£382.45 per dwelling (capital and maintenance).	Trigger for payment to be agreed in accordance	Necessary as children's play 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

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			with a phasing plan.	Policies SP1, COM1, COM2, COM3, and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF. Directly related as occupiers will use play space and the facilities to be provided would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained
9.	ABC – Voluntary sector provision Contribution towards groups active within the Town Centre Area	£63.39 per dwelling	Trigger for payment to be agreed in accordance with a phasing plan.	Necessary as new/enhanced voluntary provision is needed to meet the demand that would be generated from the development pursuant to Local Plan 2030 policies COM1 and COM2 and the NPPF. Directly related as occupiers will use these spaces and the spaces to be funded will be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on stewardship policies in the Local Plan 2030.
10.	ABC – Art provision Contributions sort for provision within the Town Centre, including the 'Ashford Giraffes' project.	£156.95 per dwelling.	Trigger for payment to be agreed in accordance with a phasing plan.	Necessary as new/enhanced art provision is needed to meet the demand that would be generated from the development pursuant to Local Plan 2030 policies COM1 and COM2 and the NPPF. Directly related as occupiers will use these spaces and the spaces to be funded will be available to them. Fairly and reasonably related in scale and kind considering

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				the extent of the development and because the amount has taken into account the estimated number of users and is based on stewardship policies in the Local Plan 2030.
11.	KCC – Highways - Travel Plan Travel Plan requirements directly related to the scheme	£5,000 (£1,000 per annum for 5 years)	Trigger for payment to be agreed in accordance with a phasing plan	Necessary to ensure the scheme is sustainable in travel terms in accordance with Local Plan 2030 policies SP1 and TRA4. Directly related: specific to the scheme Fairly and reasonably related in scale and kind: reflects the scale and nature of the scheme being proposed.
12.	KCC – Community Learning Towards additional equipment and resources for Adult Education Centres locally	£16.42 per dwelling Total £3,661.66	Trigger for payment to be agreed in accordance with a phasing plan	Necessary as enhanced services required to meet the demand that would be generated and pursuant to Local Plan 2030 Policies COM1, IMP1 and IMP2, KCC's 'Development and Infrastructure –Creating Quality Places' and guidance in the NPPF. Directly related as occupiers will use community learning services and the facilities to be funded will be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.
13.	KCC – Primary Education Towards new school provision in the planning group (13 additional spaces).	£935.64 per dwelling.	Trigger for payment to be agreed in accordance with a phasing plan	Necessary pursuant to Local Plan 2030 Policies SP1, COM1 and IMP1, KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF. Directly related as children of occupiers will attend primary school and the facilities to be

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				funded would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of primary school pupils.
14.	KCC – Secondary Education Contribution towards new school provision at the Chilmington Green secondary school or alternative provision in the planning group (9 additional places)	£967.00 per dwelling.	Trigger for payment to be agreed in accordance with a phasing plan	Necessary as insufficient capacity to meet the needs of the development and pursuant to, Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2, Developer Contributions/Planning Obligations SPG, KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF. . Directly related as children of occupiers will attend secondary school and the facilities to be funded would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of places needed.
15.	KCC – Youth Services Towards additional resources for the Ashford Youth service or equivalent outreach programme.	£65.50 per dwelling.	Trigger for payment to be agreed in accordance with a phasing plan.	Necessary as enhanced youth services needed to meet the demand that would be generated and pursuant to Local Plan 2030 policies SP1, COM1 and IMP1, KCC document 'Creating Quality places' and guidance in the NPPF. Directly related as occupiers will use youth services and the services to be funded will be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the

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				estimated number of users and is based on the number of dwellings
16.	KCC – Library services The provision of additional library books.	£55.45 per dwelling.	Trigger for payment to be agreed in accordance with a phasing plan.	<p>Necessary 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>Directly related as occupiers will use library books and the books to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because amount calculated based on the number of dwellings.</p>
17.	KCC – Social Care Towards increasing capacity at the Braethorpe Wellbeing Centre (Ashford Day Centre)	£146.88 per dwelling.	Trigger for payment to be agreed in accordance with a phasing plan.	<p>Necessary as enhanced facilities required to meet the demand that would be generated pursuant to Local Plan 2030 Policies SP1, COM1, and IMP1, KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p>Directly related as occupiers will use community facilities and services to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>
Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's legal costs in connection with the deed must be paid. If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.				

Human Rights Issues

233. 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

234. 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

235. The site is not specifically allocated for development in the adopted Local Plan, but as a previously developed brownfield site in a highly sustainable location in Ashford town centre, the principle of the redevelopment of the site for a residential-led mixed use scheme is supported. I am satisfied the development will help to boost the supply of housing in accordance with the NPPF.
236. I consider the proposal would support the Vision in the adopted Local Plan as well as being in accordance with detailed policies supporting residential development with a degree of mixed uses, providing a reasonable mix and variety of housing typologies and improving perceptions through the regeneration of an unsightly brownfield site in a highly sustainable town centre location. The proposal will deliver high density development where the benefits of a critical mass of people have a direct benefit for the town centre economy within a high quality design to meet the aspirations of this strongly performing urban location. The above planning objectives are captured in policies SP1, SP2, SP5 and SP6 of the Local Plan and the related objectives of the National Planning Policy Framework. I consider the principle of the development is therefore acceptable.
237. I consider the layout to be efficient on this heavily constrained site and I am content that it will maximise the amount of development in a logical and comfortable manner in keeping with the surroundings.

238. The residential blocks and riverside town houses set around a courtyard supported by some commercial or community uses will make this space a lively, visually interesting and comfortable place to live. The approach to private amenity spaces is realistic given the site's constraints. The development would provide a suitable mix of smaller 1 and 2 bed apartments in line with Policy HOU18.
239. The substantial 16 storey mixed use tower set above the car park and lower ground floor, is a well-designed contemporary building with landmark qualities. It's location at the corner of the site addresses the rest of the town centre and the station directly in a positive manner and will be a distinctive new addition to the overall town centre skyline that will be seen in the context of other existing and planned tall buildings. It will not detract from important views of the historic core and St Mary's Church tower. The scale of the tower and overall form of the development is entirely appropriate for this urban site and will help positively enclose and define two key routes to the town centre. I regard this continuous frontage to the street to be a critical success of the scheme and it will help transform and enhance the impressions of this rapidly changing part of the expanding town centre.
240. This site, being directly opposite the International Station, is a very high profile location for the town and borough as a whole and the creation of a well-designed landmark building here will provide a major improvement in the legibility and quality of this 'front door' location. I consider this development will go a long way to completing the successful regeneration of this crucial high profile part of the town centre.
241. I do not consider that the tower would give rise to any unacceptable overlooking issues or detrimentally impact on the sunlight and daylight levels that would infringe upon the amenities of existing nearby residents or future nearby residents of sites currently under construction, due to the distances involved and orientation. There would be no material harm to neighbouring or future occupiers' amenities. The development would comply with policies SP1 and HOU3a of the Local Plan in this respect.
242. The overall quality of hard and soft landscaping will certainly help the building sit comfortably within a site that is lower than the main adjoining street level and will enhance the impressions and comfort of the public realm of the streets adjacent to the building in accordance with policy SP6 of the Local Plan. I consider the landscaping of the development complements the adjacent Ashford Green Corridor in terms of its visual amenity, movement networks and functioning. The landscaping seeks to make a positive contribution to setting by implementing a scheme to replace low grade trees,

to respects and enhance the character of this area next to the river in accordance with policy ENV2 of the Local Plan.

243. The proposals do not provide the full amount of open/amenity space that the development plan would normally require however on a town centre site this was always going to be difficult. To address this, the development would include a contribution towards investment in Victoria Park to mitigate any adverse impact the additional pressure on the park.
244. All the apartments and houses within the scheme comply with National and Local residential space standards in accordance with policy HOU12 of the Local Plan. The balcony sizes also meet Ashford's local guidance. The scheme is well balanced in terms of housing size typologies and will meet building regulations in terms of accessibility and accessible homes. As there are no affordable 'new build properties', in the scheme therefore no wheelchair accessible M4(3b) homes are proposed.
245. In terms of the detail, the building proposes a richly diverse façade treatment and uses materials in an original style but in a manner that promotes and reinforce local distinctiveness innovatively. The execution of the detailed design of the scheme is important to the final perceptions of the development and therefore detailed conditions are recommended to ensure the aspirations for the quality of the finer incremental elements of the scheme can also be delivered at construction stage.
246. Sustainability measures are proposed within the scheme such as green roofs and charging points for electric cars and bikes. The site is also highly sustainably located with good access to a range of sustainable transport modes. The proposals accord with the objectives of policies SP1, SP2, SP5, ENV10 and ENV12 by providing high quality design of high sustainability standards and would make the best use of previously developed land and have a low impact on the local environment and climate change.
247. Subject to a condition requiring the submission of a detailed drainage and SuDS strategy, to satisfy KCC SUDs team, I am satisfied that the proposal will achieve a significant net benefit in reducing surface water runoff from the site in accordance with the requirements of policy ENV9 of the Local Plan. The site can be developed without increasing flood risk on or off-site and has satisfied a flood risk sequential test.
248. The access proposals to site are acceptable in highway capacity and highway safety terms and the levels of on-site car parking (at 0.9 spaces per unit) adopts a relatively high quantum of spaces for a flatted scheme in a town centre location within 50 metres of the main rail station entrance.

249. The proposal is acceptable in terms of ecology and biodiversity. Detail in these areas should be secured by planning condition and there is scope for scheme enhancement that should be explored through that approach to detail. Ecological mitigation and enhancements are considered to be acceptable, the development would also include the planting of new trees and areas of mixed native and ornamental planting, further aiding biodiversity and placemaking. Appropriate Green Corridor mitigation is also proposed through landscape design and will be controlled by landscape management and maintenance strategy conditions.
250. The development makes adequate provision for off-site open space and play facilities. Contributions are also proposed towards strategic parks, sports provision, allotments and community facilities and towards local schools, health services and other community and volunteer services in line with policies HOU3a (f), COM1, COM2 and COM3.
251. The proposed design of the development will provide a benchmark for the comprehensive and innovative approach to providing the high quality design with high sustainability standards that will be crucial in enabling the Town Centre to grow as the Council envisage. It will provide the high quality of design required by the NPPF and Local Plan. In light of the above, I am satisfied that The Vision and associated strategic design policies of the Local Plan are met by the design of the proposals.
252. In light of the above, it is considered that the proposal is in accordance with the Development Plan and the benefits of the development significantly weigh in its favour. Subject to completion of the Section106 agreement, I recommend the grant of planning permission subject to conditions.

Recommendation

Permit

- A. Subject to the Head of Planning considering any representations received from the consultation expiring on 25/06/2020, that relate to any material planning considerations not already addressed within the report.**
- B. Subject to 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 Strategic Development and Delivery Manager or Development Management Manager in consultation with the Director of Law and Governance, with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the**

planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit.

C. Subject to planning conditions and notes, including those dealing with the subject matters identified below (but not limited to that list) and those necessary to take forward stakeholder technical representations, with wordings and triggers revised as appropriate and with any ‘pre-commencement’ based planning conditions to have been agreed with the applicant.

1. Standard time conditions
2. Development carried out in accordance with the approved plans.
3. Phasing to be agreed
4. Remove pd rights of the 9 townhouses.
5. Restrict pd rights use classes order for Commercial Units

Construction

6. Construction Environmental Management Plan
7. Code of Construction practice (including Dust Management)
8. Hours of construction
9. Wheel washing, site set-up and contractor paring arrangements.
10. Site Waste Management Plan

Architecture.

11. Submission of fine external detailing –
12. Rainscreen cladding / plant room external treatment
13. Balcony detail - privacy screens and wind screens, balustrades
14. Submission of samples of external materials – including brickwork
15. Fine details of construction, rooftop, boundary walls, access gates, railings, balustrades, riverside steps and handrails, bollard lighting etc.
16. Brickwork mortar details e.g. colour /depth/recess/joint technique and weep holes, expansion points etc.

Landscaping

17. Details and hard and soft landscaping works including riverside and Landscaping courtyards/quad space including information on structural

- limitations on planting (consult with Kentish Stour Countryside Partnership)
18. Tree protection measures
 19. Arboricultural Method Statement
 20. Landscape management arrangements
- Public Realm
21. Details and hard and soft Landscaping beyond the site.
 22. Street furniture – seating
 23. Wind - Measures such as landscaping, wind shields or installations to minimise wind levels around building at street level and within courtyard
 24. Lighting strategy
- Residential Amenity
25. Units to be built in accordance with national space standards and agreed bedspaces, unit sizes (gross internal floor area), number of bedrooms; built in storage sizes (msq); minimum floor to ceiling heights for each unit; and in accordance with approved plans for private amenity space area and depth of balconies that meet ABC standards.
 26. Use restrictions to commercial rights
 27. Infrastructure for plant/extraction systems to all commercial units (air-con, air handling, kitchen extract, etc.)
 28. Sound performance - specifying the chosen glazing, ventilation, and wall and floor construction etc.
 29. Details of the insulation separation between commercial and residential uses
 30. Any changes to energy strategy
- Access & Highways
31. Alterations to the Beaver Road arm of the Beaver Road / Victoria Way and Avenue Jacques Faucheux junction and installation of a box junction
 32. Delivery of proposed raised table junction in Beaver Road.
 33. Condition relating to main access surface treatments and consultation with ABC on s.278 detail

34. Submission of a TRO (loading/unloading deliveries and refuse layby)
35. Section 278 Highway Agreement Shared footway / cycleway.
36. Completion of the off-site highway improvements
37. Finer details of the proposed retaining wall at the junction of Beaver Road and Avenue Jacques Faucheu
38. Provision and retention of parking, vehicle loading/unloading and turning areas
39. Submission of a car parking management strategy for the site detailing how the car parking within the application site will be managed by the applicant.
40. Beaver Road condition survey
41. Motorcycle parking spaces
42. EV charging to Mode 3 SMART standard / future proofing strategy to all car park
43. Electric cycle parking / future proofing strategy
44. Provision and retention of secure cycle parking facilities
45. Car park spaces allocation, layout including disabled bays and details including markings, lines, signs, lighting or any other paraphernalia
46. Travel Plan (cycle voucher/bus pass)
47. Visibility splays
48. Construction Management Plan (Including Routing of construction and delivery vehicles; Parking and turning areas for construction and delivery vehicles and site personnel; Timing of deliveries including HGV movements; Provision of wheel washing facilities; and Temporary traffic management / signage)

Sustainable Building

49. Green roof
50. Sustainable energy efficiency standards that help with climate change targets
51. Water efficiency - Water use of dwellings no more than 110 litres per person per day
52. Air quality

- 53. Mitigation - Finished floor levels mitigation - Ordnance Datum (AOD)/ habitable rooms/sleeping
 - 54. Long term management plan- Protection of 8m Riparian margin/ Landward buffer zone details. Restoration plan
 - 55. Contamination controlled waters
 - 56. Verification Report
 - 57. Contamination not previously identified
 - 58. No infiltration of surface water drainage
 - 59. Piling risk assessment
 - Foul Water Sewage (Southern Water)
 - 60. Foul water sewerage disposal details
 - 61. Diversion of public sewers,
 - 62. Sewerage network reinforcement
 - 63. Sewer discovered during construction.
 - 64. Details of the proposed means of foul water sewerage
 - SUDs KCC
 - 65. Pre construction – surface water drainage system
 - 66. Pre occupation Verification Report, pertaining to the surface water drainage system.
- Archaeology
- 67. Archaeological field evaluation works and further archaeological investigation. (Pre commencement)
- Ecology (recommended by KCC Biodiversity)
- 68. Ecological Enhancements / Ecological Management Plan (Pre Commencement) (recommended by KCC Biodiversity)
 - 69. Green Corridor Improvement Plan
 - 70. Bats & Lighting (recommended by KCC Biodiversity)
 - 71. Invasive Species - Pre commencement. (recommended by KCC Biodiversity)
 - 72. Water voles.

Contamination

73. Contaminated land investigation and watching brief (pre commencement)
74. Remediation, verification and dealing with any unexpected contamination

Services & Utilities

75. Provision and retention of secure bin storage including
 - Refuse bin storage area (excluding the bin maintenance area) shall not be less than 431 sq. m and shall remain available for this use only in perpetuity.
 - The distance from the presentation point to the refuse truck loading bay in Beaver Road shall not be greater than 10m and shall have a gradient that is no steeper than 1:12.
 - Following details to be agree by LPA in consultation with ABC Street Scene & Open Spaces Officer
 - a. Site Waste Management Plan.- residential and commercial
 - b. The number and size of refuse/recycling containers, recycling bags, kitchen caddies and commercial bins
 - c. Presentation point/area delineation
 - d. Internal access ramp no steeper than 1:16
 - e. Freight Platform Lifts – size to ensure the lifts can carry the maximum weight of the largest full containers.
 - f. All double doors in refuse store open both ways
 - g. Smell prevention control measures and including ventilation system
 - h. Lighting
76. Broadband

Other

77. Monitoring

Note to Applicant

1. S106

2. 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***add / delete as appropriate.***

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the application was acceptable as submitted and no further assistance was required.
- add a brief statement as to how the applicant/ agent responded to our initial contact, and if appropriate, how we dealt with the case thereafter? i.e. "...the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted/ the amended plans did not address all the outstanding issues, and permission was refused..."
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

3. Notes - The proposed retaining wall at the junction of Beaver Road and Avenue Jacques Faucheur will need structural approval from KCC Highways and Transportation as it will be supporting the highway and as such further details will need to be supplied in respect of this retaining wall. However this can be dealt with through a suitably worded planning condition in the event that planning permission is granted for this site.

INFORMATIVES

1. Highways - Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a

statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

2. Highways - It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>
3. Highways - The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
4. Flood Risk Activity Permit - The Environmental Permitting (England and Wales) Regulations 2016 require a Flood Risk Activity permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river
 - on or within 8 metres of a flood defence structure or culvert
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity to discuss the nature of any works whatsoever within 8m of the River Stour.

5. Environment Agency -Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance

with EA guidance document “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73”.

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

- The Environment Agency recommends that developers should refer to:
- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK

Any re-use of excavated materials not undertaken formally using the CLAIRE DoWCoP would require an environmental permit for deposit, unless materials are solely aggregates from virgin sources, or from a fully compliant Quality Protocol aggregates supplier. Any deposit of materials outside of these scenarios could be subject to enforcement actions and/or landfill tax liabilities.

6. Broadband - Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that gigabit capable fibre to the premise Broadband connections. Access to gigabit broadband is an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest gigabit connection. We understand that major telecommunication providers are now offering fibre to the premise broadband connections free of charge to the developer. For advice on how to proceed with providing broadband access please contact broadband@kent.gov.uk
7. ABC Environmental Protection - The applicant should note the code of practice hours in relation to potentially noisy construction/demolition activities which are 0800-1800 Monday to Friday, and 0800-1300 hours Saturday. Noisy works should not occur, in general, outside of these times, on Sundays or Bank/Public Holidays.

In addition, the applicant should note that it is illegal to burn any controlled wastes, which includes all waste except green waste/vegetation cut down on the site where it can be burnt without causing a nuisance to neighbouring properties.

Finally the applicant should take such measures as reasonably practical to minimise dust emissions from construction and demolition activities and for that purpose would refer them to the IAQM guidance on controlling dust on construction sites.”

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 19/01597/AS)

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Design Review

Former B&Q Site (Home Plus) Beaver Road Ashford

Ashford Borough Council - Report of the Head of Planning and Development
Planning Committee 17th June 2020

Annex 1



Former B&Q Site (Home Plus), Beaver Road, Ashford
Reference: 631.2-1187

Report of Design Review Meeting
Date: 21 March 2019
Location: MLM Group, 1 Dover Place, Ashford, Kent, TN23 1FB

Panel

Chris Bearman (Chair), Architecture
Jon Akers Coyle, Landscape Architecture
Richard Hawkes, Architecture
Nicholas Lee-Evans, Architecture

Also attending

Geoff Noble, Design South East
Mark Chaplin, Ashford Borough Council
Carly Pettit, Ashford Borough Council
Clr Paul Clokie, Ashford Borough Council
Clr Graham Galpin, Ashford Borough Council
Keith Hollidge, A Better Choice for Property Development
David Weir, On Architecture
Luke Harrison, On Architecture
Emma Hawkes, DHA Planning

Site visit

A full site visit was conducted by the panel ahead of the review

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

Annex 1

Summary

The site is close to the centre of Ashford and is a prime contender for redevelopment. It offers the chance to improve the setting of the Great Stour river whilst engaging positively with the changes taking place in this part of the town. There are some considerable physical challenges facing any development on this site, but the emerging scheme goes a long way to resolving them.

The panel is pleased to be asked to review the project at a fairly early stage in the design process. The overall quantum of development seems right, the mix of use is appropriate and the courtyard plan is logical. The main problem is with the circulation, which because of the changes of level necessitated by the podium means that the scheme is not as permeable as it should be. Moving the main entrance on the northwest corner would involve crossing a strip of highways land, but it seems key to unlocking the problem.

There is a case for a tall element on the site, but it might be better located at the northeast rather than the northwest corner. The appearance of this taller element would be helped if the development shouldering it stepped down, rather than stepped up, to distinguish its relative height and slenderness. More generally, the elevations of the blocks need a clear underlying concept, strengthening their architectural language and the way they relate to each other.

The town houses facing the river are an attractive element of the scheme but the point where steps lead to the communal garden seems unduly pinched. A more generous space would work better and making the threshold to this area a focal point could help to calm traffic.

The central quad is an attractive element and careful thought should be given to the way it will function. The present mix of commercial and private residential uses could be hard to operate successfully. We recommend the early appointment of a landscape architect to help resolve the design and appearance of the external spaces.

Background

The site is close to Ashford station and only a short walk from the town centre. The former Home Plus retail store is vacant and there are no buildings on the site worth keeping. The River Stour borders the eastern side and is currently a rather neglected asset. There are numerous challenges to any development on the site, including the river protection zone, flood constraints, traffic noise, changes in level and a main sewer with easements. A retaining wall and a strip of waste ground against the main road is in the ownership of the highway authority. Taken together these constraints reduce the buildable area by some 30%. Previous proposals for the site have been over-ambitious and have not always taken enough account of the physical circumstances.

The developer is 'A Better Choice for Property' a company financed by Ashford Council but independently managed.

Development principles – height, mass, layout

The design team has embraced the challenge posed by the site and have made thoughtful use of the slope of the site. The mix of uses, residential and commercial, is appropriate.

Annex 1

We would however encourage the team to analyse the history of Ashford, and this site in particular, as a way of placing the scheme in its context.

The site seems suitable for a taller element and no competition is envisaged with Ashford's principal historic landmark, the tower of St Mary's Church. However, the chosen position of the taller element should be reconsidered; there is a case for relocating the greater mass of the development to the east, where it would cause fewer overshadowing problems in the garden in the afternoon and early evening. At the review meeting it was helpful to see the working model, especially as it suggested a clarity of intent not always evident in the drawings, with the parts of the scheme better proportioned in relation to each other. More section drawings will assist further scrutiny.

The scheme aims to break up the overall mass with different heights. This works well with the town houses on the river side, but the long block on the north west side is more awkward. It would help to relax the rectangle of the plan more and have greater modelling where the development looks towards the railway station. The vista from the bridge over the railway can be resolved by other means. It might be better to articulate the massing by splitting the development into clearly differentiated buildings (with a freestanding tower), or alternatively be honest about the size of the development when it is seen from key positions.

The elevations of the blocks currently lack an underlying concept; the language of each facade seems weak and unrelated to that of its neighbour. Rather than relying on the safety of a familiar and generic brick vernacular, there is scope to draw on the qualities particular to Ashford to develop a strong, but still contemporary, expression of the place.

The commercial units are envisaged as primarily serving local residents and may include a café or a gym, or some live/work units. These too should be simply handled and the intended views through to the garden (from mezzanines inside the units) may need to be rethought.

Daylight and sunlight studies have not yet been undertaken, nor has there been a flood risk assessment to inform the detailed design. We suggest these are carried out early in the next stage of design development.

Some of the dual aspect residential units seem exceptionally deep in plan (up to 16m from front to back) which will make the inner areas very dark.

Circulation and public realm

The entrances to buildings and the routes to, from and across the quad will be key to the success of the scheme. In this regard we think it would be much better to have the main entrance at the site at the critical northern corner. This would entail straddling a strip of highways land on Avenue Jacques Faucheur, but we hope that Kent County Council would see the importance of such a move. The nature and management of this landscaped embankment will exert a strong influence on the setting and success of the proposed development. We would encourage landscape led discussions with the highways authority (whilst accepting the below ground sewer constraints) to improve screening, noise mitigation and air quality on a busy road.



Thought should be given to the treatment of the private zone in front of the town houses and the 'mews' style potential of front door greening. If vehicles are using this area regularly, creating a focal point around the steps up to the quad might help to inhibit vehicle speeds.

The way the quad garden is used, and by whom, is critical to the success of the scheme. We anticipate that there might need to be clearer separation between commercial users and residents. There might also be a demand for more children's play and family spaces, even though the site is only a short distance from Victoria Park. Beyond this doorstop play potential, we would encourage well-defined routes via the quad steps to the proposed threshold of the development at the Beaver Road vehicular entry. We encourage the ongoing design work for a welcoming gateway and to assist wayfinding to direct pedestrians over the river on the current footpath and crossing alignment.

The site is well served by public transport but we understand that the Council may press for minimum ratio of 1:1 parking. This might reduce the number of housing units that can be accommodated and thereby affect the scheme's viability; conversely however, some relaxation in the density it might open up other design possibilities.

The improvement of the river frontage will be a major public benefit and this green edge should be as active as possible, retaining and supplementing the mature trees on the northern riverbank. It might be worth looking at other examples, for instance from the Netherlands, of managing SUDS through waterfront parks and porous paving. The development as a whole should avoid the isolating character of many gated schemes. We suggest the team reconsiders the spaces between the town houses and the podium, where the proposed light wells may be of limited amenity value.

We recommend the early appointment of a landscape architect to help resolve the design and appearance of the external spaces.

Other considerations

The dispersal of bin collection areas is an interesting idea but we recommend another look at the practicalities of refuse operations and locations, particularly in relation to the car park; there may be scope for an experimental arrangement to be piloted with the local authorities. The location of the south-westerly refuse store beneath commercial units (at the vehicular entrance to the site) requires more consideration, as this may present an inactive and unsurveilled point of arrival. A similar level of refinement may be needed for the positioning of the cycle stores in relation to the entrances.

We suggest that the team investigates more planting; perhaps green walls, which can filter pollution, or green roofs, which are generally economical to maintain.