

<b>Application Number</b>	21/01250/AS	
<b>Location</b>	Oakleigh House, Watercress Lane, Ashford, Kent	
<b>Parish Council</b>	-	
<b>Ward</b>	Beaver (Ashford)	
<b>Application Description</b>	Redevelopment of site to provide 54 apartments for Independent Living for Older People and 13 apartments for Adults with Learning Disabilities, with associated communal facilities, landscaping and parking.	
<b>Applicant</b>	Ashford Borough Council	
<b>Agent</b>	PRP, Ferry Works, Summer Road, Thames Ditton, KT7 0QJ	
<b>Site Area</b>	0.81ha	
(a) 95/22 'R', 1 'X'	(b) -	(c) KCCH&T 'X', KCC PROW 'X', KCC EDEV 'X', EH 'X', POL 'X', KFRS 'X', KCC LLFA 'X', SW 'X'. NE '-', CACF '-'

## Introduction

1. This application is reported to the Planning Committee because the Council is the applicant and under the Council's scheme of delegation it falls to be determined by the Planning Committee. It was deferred from 13<sup>th</sup> July Planning Committee meeting at the request of the applicant.

## Site and Surroundings

2. The application site is located in the Beaver Green area of South Ashford and comprises two parcels of irregularly shaped land located to the east and west of Watercress Lane as shown in **Figure 1** below. The larger parcel is bound by Beaver Lane to the west and Cross Stile and Watercress Lane to south and east. There are a number of existing buildings on this parcel, comprising a two-storey former sheltered housing block known as Oakleigh House to the north and a three-storey former general needs housing block known as the Star block to the south. The existing buildings are owned and managed by Ashford Borough Council; they are currently vacant and the site is enclosed by security hoardings. It has been established via a separate prior notification application (reference 22/00882/AS) that prior approval is not required for the demolition of the existing buildings and that this can now proceed. The

remainder of this parcel comprises maintained green space.



**Figure 1: Site location plan**

3. The smaller parcel of land is located to the east of Watercress Lane and comprises an undeveloped maintained green space.
4. Existing vehicular access to Oakleigh House and off-street parking is provided via Watercress Lane, which is a no-through road. There is a public footpath running through the centre of the western parcel of land and around the boundary of the eastern parcel where it provides direct pedestrian access to the dwellings facing the site.
5. The area is suburban in character with buildings in the immediate vicinity predominantly 1960 - 1980s single, 2 and 3-storey dwellings organised in terraces and courts. There are a number of planned and incidental open green spaces of varying sizes which are a strong feature of the area. The majority of buildings are set back from the road with brick and tile hung facades and pitched roofs.
6. There are no conservation areas or listed buildings within proximity. Much of the undeveloped parts of the site comprise open space in the form of

maintained grass. There are several unprotected trees located around the boundaries of the site. The site is located in Flood Zone 1, an area of low flood risk.

## Proposal

7. Planning permission is sought for the redevelopment of the site to provide independent accommodation for older people and buildings to provide accommodation for adults with learning disabilities on the adjacent site. As shown in **Figure 2** below, the existing road layouts would be retained.



**Figure 2: Proposed layout**

8. The independent accommodation for older people would comprise 51 flats with communal facilities, including community room, a covered terrace with views into the courtyard, a hair and therapy suite, a meeting room, mobility scooter parking, office and foyer all within three-storey buildings and 3 single-storey terraced 'mews' cottages adjacent to the north boundary.
9. The accommodation for adults with learning disabilities would comprise 13 flats within two-storey buildings. Both developments would be arranged around open courtyards with the principal entrances located near to the junction of Watercress Lane, Beaver Lane and Cross Stile.

10. As illustrated in **Figure 3** below, the design of the buildings would include gable features, with large windows and inset balconies. The materials would include buff/beige coloured multi-brick with areas of textured brick and clay roof tiles.



**Figure 3: Elevation bay study**

11. The main vehicular, cycle and pedestrian access to the site would be via Watercress Lane. An additional one-way link road is proposed between Watercress Lane and Beaver Lane to provide access to the proposed mews cottages and off-street parking. Additional off-street parking, including for surrounding dwellings is proposed to be accessed from Watercress Lane, Beaver Lane and Cross Stile as shown in **Figure 4** below. The development would incorporate areas of private amenity space and communal landscaping, including to the boundaries.



Figure 4: Detailed site layout, including parking provision

## Planning History

- 22/00882/AS - Prior Notification of the proposed demolition of two buildings.  
PRIOR APPROVAL NOT REQUIRED

## Consultations

- The application has been subject to formal statutory and non-statutory consultation comprising the display of a site notice, a press notice and notification letters sent to 95 occupiers of buildings in the vicinity of the application site. The statutory consultation period ended on 06.03.2022.

**Ward Members:** No representations received.

**ABC Building Control:** confirm that it will be necessary for a Demolition Notice under section 80 of the Building Act to be submitted for the demolition of the existing properties.

**ABC Cultural Services:** no objection subject to investment in surrounding public open spaces to compensate for the loss of public open space as a consequence of this development. Landscape improvements to be subject to public engagement and consultation.

**ABC Environmental Protection:** no objections subject to conditions to secure site investigation relating to land and/or ground water contamination and informatives relating to construction hours, burning of waste and dust emissions. *(Officer comment: relevant conditions secured at the end of the report).*

**ABC Environmental Services:** no objection to refuse storage provision.

**Kent County Council Highways and Transportation:** no objection subject to conditions to secure a Construction Management Plan, measures to prevent discharge of water to the highway, provision and retention of vehicle and cycle parking and electric vehicle charging. *(Officer comment: relevant conditions secured at the end of the report).*

**Kent County Council Public Rights of Way:** no objection subject to a condition that no development should take place over the PROW until the confirmation of its diversion or extinguishment. *(Officer comment: relevant conditions secured at the end of the report).*

**Kent County Council Flood and Water Management:** no objection subject to conditions to secure a detailed sustainable surface water drainage scheme for the site and a Verification report. *(Officer comment: relevant conditions secured at the end of the report).*

**Kent Fire and Rescue Service:** no objection.

**Kent Police:** recommend use of Secured By Design. *(Officer comment: relevant informative/note secured at the end of the report).*

**NHS:** no objection subject to securing contributions towards health care infrastructure. *(Officer comment: relevant infrastructure contributions secured in Table 1).*

**Southern Water:** note that the development lies over public sewers and exact position must be determined before layout is finalised. SW can facilitate foul sewerage disposal to service the proposed development but recommend condition to secure details of the proposed means of foul sewerage and surface water disposal. *(Officer comment: relevant conditions secured at the end of the report).*

**Natural England:** no response.

**Ashford Access Group:** no comment.

**Central Ashford Community Forum:** no response.

**Neighbours** – 22 objections and 1 general comment received from local residents as summarised below:

Objections:

- Loss of accessible communal green space
- Impact on sense of community and wellbeing
- Loss of safe supervised play space and space for community celebrations
- Impact on early development and health
- Impact on community safety
- Unsuitable location for accommodation for people with learning disabilities
- Other brownfield sites should be explored
- Pollution and construction impacts on health (including dust)
- Construction impacts on parking
- Loss of views and outlook
- Loss of light
- Out of keeping with local area
- Impact on emergency vehicle access
- Additional traffic impacts on busy road
- Traffic calming measures required
- Impact on property value (*Officer comment: this is not a material planning consideration*)

Comments:

- Query whether adequate parking provision
- Query whether buildings contain asbestos

## Planning Policy

14. The Development Plan for Ashford Borough 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), the Boughton Aluph & Eastwell Parishes Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022), the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).

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

Vision for Ashford Borough

SP1 Strategic objectives

SP2 The strategic approach to housing development

SP6 Promoting high quality design

HOU1 Affordable Housing

HOU12 Residential space standard internal

HOU14 Accessibility standards

HOU15 Private External Open Space

HOU18 Providing a range and mix of dwelling types and sizes  
EMP6 Fibre to the Premises  
TRA3a Parking standards for residential development  
TRA6 Provision for cycling  
TRA7 The road network and development  
TRA8 Travel Plans, Assessment and Statements  
ENV1 Biodiversity  
ENV4 Light Pollution and Promoting Dark Skies  
ENV6 Flood Risk  
ENV7 Water efficiency  
ENV8 Water quality, supply and treatment  
ENV9 Sustainable drainage  
ENV11 Sustainable Design and Construction  
ENV12 Air Quality  
ENV15 Archaeology  
COM1 Meeting community needs  
COM2 Recreation, Sport, Play and Open Spaces  
COM 3 & 4 Allotments and Cemeteries  
IMP1 Infrastructure provision

16. 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 (now external space only)  
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 (NPPF) Revised 2021  
Planning Practice Guidance (PPG)  
Technical Housing Standards – nationally described standards



## Assessment

17. The key areas for consideration are as follows:
- (a) Principle of development
  - (b) Whether the loss of open space and off-site mitigation is acceptable
  - (c) Design quality and visual impact on the locality
  - (d) Housing mix and standard of accommodation proposed
  - (e) Amenity impacts
  - (f) Highway impacts, car and cycle parking and EVC
  - (g) Landscaping, ecology and biodiversity, surface water and drainage and contamination
  - (h) Housing Land Supply
  - (i) Sustainability and climate change
  - (j) Habitats Regulations
  - (k) Planning Obligations
- (a) Principle of development**
18. Policy SP1 of the ALP 2030 identifies a number of strategic objectives, first of which is to focus development at accessible and sustainable locations which utilise existing infrastructure, facilities and services wherever possible and makes best use of suitable brownfield opportunities. From a housing perspective, planning applications are expected to provide a mix of housing types and sizes to meet the changing housing needs of the Borough's population including the provision of specialist housing for older and disabled people.
19. The site is not allocated for development in the ALP 2030. However, Policy HOU3a allows residential windfall development within existing settlements providing it can be satisfactorily integrated. The application site falls within the settlement of Ashford. Policy HOU3a is subject to certain compatibility and impact assessment provisos including relating to character, density, amenity, highways, infrastructure, safe pedestrian access and use displacement. The assessment sections below address the requirements of this Policy alongside other topic-based specific Policies of the ALP 2030.
20. Policy SP1 also deals with other matters and makes reference to the importance of sense of place, including spaces around and between buildings and how that creates and contributes character alongside supporting uses through appropriate physical infrastructure. Although green spaces are not directly mentioned, Policy SP1 is concerned with the delivery of 'The Vision' as it is set out in the ALP 2030 and 'The Vision' identifies the importance of green spaces to serve expanding populations with references to their protection and expansion. Policy SP6 specifically promotes high quality design and place-making.

21. At face value, any loss of green spaces would be contrary to 'The Vision' as it would not protect the existing baseline provision but policy COM2 allows for the loss of existing open space in circumstances where it can be demonstrated that the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. It would therefore be reasonable to allow, as a principle, for occasional loss arising from development proposals which are otherwise consistent with the ALP 2030. This is a key issue to this particular proposal and I assess it further below.

22. Subject to the development being considered acceptable against the above policies then the principle of development on this site would be acceptable assessed against 'The Vision' and Policy SP1.

**(b) Whether the loss of open space and off-site mitigation is acceptable**

23. Policy COM2 (Recreation, Sport, Play and Open Spaces) of the ALP states that existing open space, sports and recreational buildings and land should not be redeveloped or used for other purposes, unless any of the following circumstances apply: *an assessment has been undertaken which clearly shows the provision is surplus to requirements, or any loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or the development is for an alternative sport and recreational provision, the needs for which clearly outweigh the loss.* This is consistent with paragraph 99 of the NPPF.

24. For the purposes of Policy COM2, an audit and assessment of all existing open space across the borough was undertaken and published in 2017 in the Council's Open Spaces Strategy (OSS). Part of the application site is identified in the OSS as 'South Ashford Housing' and the OSS is therefore relevant to the assessment of this application.

25. For the purpose of the OSS, open space is defined as '*public open space which provides generally unlimited free public access, genuinely useable open space for people, and accessibility over the great majority of the open space*'. Open space collectively refers to parks, amenity space, children's play areas, outdoor sports facilities such as sports grounds, natural and semi-natural greenspace, allotments and cemeteries.

26. As shown in **Figure 5** below, part of the application site is identified as 'Amenity Space' in the OSS. Amenity space is described in the OSS as '*most commonly (but not exclusively) in residential areas including informal recreation spaces, green space in and around housing, village greens. This may also include areas for water recreation, and playing fields where outdoor sport is not the primary use e.g. there are no marked out pitches and goals.*' Their primary purpose is to provide '*Opportunities for informal activities close to home or work, and enhancement of the appearance of residential or other*

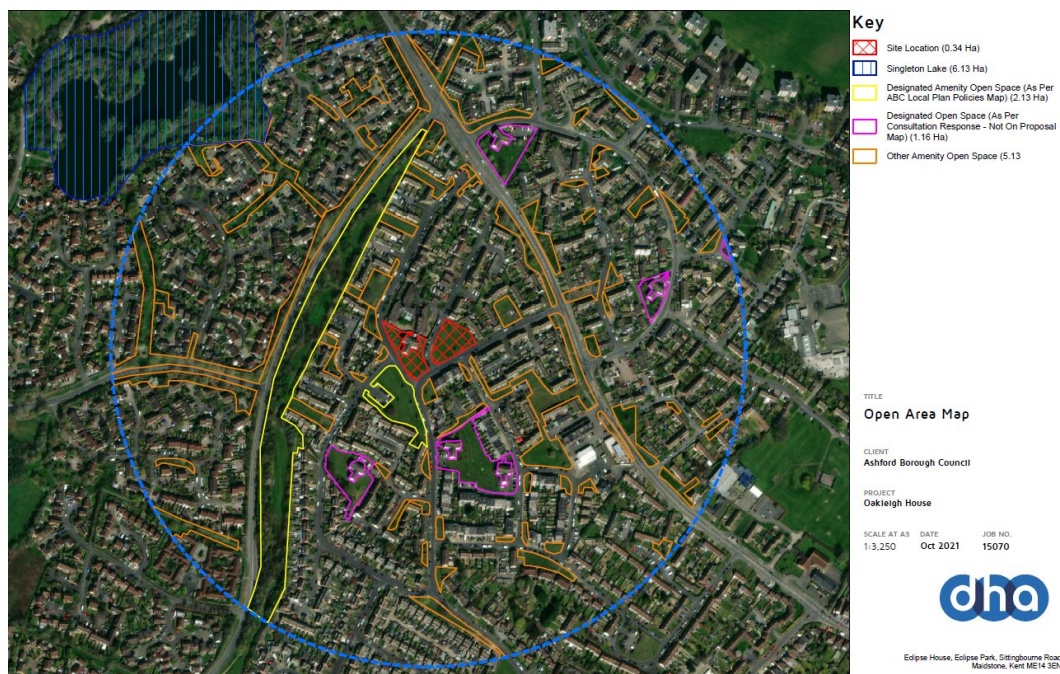
areas’.



**Figure 5: Extract showing extent of ‘Amenity Space’ identified in the Open Spaces Strategy**

27. The OSS identifies the application site as being of ‘Satisfactory’ design value and ‘Good’ condition. A number of objections refer to the value and benefit of this piece of open space to the local community. The contribution of the site to the local character of the area is considered under the design and townscape assessment below.
28. In terms of accessibility, the OSS confirms that informal open space should be distributed across the urban area, to achieve safe and convenient access within a minimum of 400m of all properties (these distances are defined by use of the public highway or footpath network as opposed to straight ‘as the crow flies’ distances). For this reason the OSS confirms it is vital to evaluate open space quantity for every proposed development, given its location to allow for appropriate open space provision at both a local and strategic level.
29. The application is supported by an Open Space Assessment which assesses the development against policy COM2. This includes an assessment of alternative public open space within a 400m radius of the site (extract shown below in **Figure 6**) which demonstrates there is a total of 3.29ha of open space within a 400m radius. This exceeds the minimum standard of open space required by the resident population in this area calculated in accordance with the requirements of the OSS and the Public Green Space and Water Environment SPD as 3.24ha.
30. The Council’s Cultural Services team has reviewed the submission and whilst they disagree with the applicant’s assessment that the application site is surplus to requirements (and specifically which existing open spaces should be included in the calculations) they have not objected and have requested,

as compensation and mitigation for the loss of public open space on the site, enhancements to surrounding public open spaces.



**Figure 6: Extract from applicant's Open Space Assessment**

31. Whilst it is clear from the representations received to this application from local residents that the site is a valued open space to the local community, the applicant's Open Space Assessment demonstrates that the development of the site would not result in a deficiency of open space in this area, nor result in the need for residents to travel further than 400m to access informal open space.
32. I therefore consider that with reference to the ALP and OSS, the 0.34ha of open space within the application site can be considered to be surplus to open space requirements due to the amount of other areas of open space within a 400m radius and therefore its loss would be in accordance with the first criterion of Policy COM2.
33. Further to the above, I consider it relevant with respect to the second criterion of COM2 that although no equivalent quantity of replacement public open space is being offered to compensate for the loss, it is proposed to enhance the quality of other public open spaces in the vicinity. The application is supported by a Landscape Statement which demonstrates how undeveloped parts of the application site and nearby open spaces could be enhanced through the introduction of green amenity areas with incidental play areas, community meadows and new tree planting. These enhancements could be secured by condition and are considered further below.

34. Although the proposals would not therefore result in equivalent or better provision in terms of quantity (my emphasis) they would result in a better provision in terms of quality in a suitable location.
35. The Cultural Services team has also calculated the necessary combined capital and maintenance costs arising from the uplift in dwellings and population in accordance with the Public Green Spaces and Water SPD. Subject to securing the relevant contribution alongside the delivery of the off-site enhancements illustratively shown in the Landscape Statement following public consultation they do not raise objection to the proposals.
36. In summary, the proposals would result in the loss of existing public open space that is valued by the local community, and in particular the residents living directly adjacent to it. However, it has been demonstrated that the local community would retain access to a sufficient quantity of alternative open space in the area in accordance with the Council's adopted OSS and Open Spaces SPD. The development would also secure enhancements to nearby public open spaces for the benefit of existing and future residents in the vicinity of the site. On balance, I am satisfied that the proposals comply with the requirements of Policy COM2 of the ALP.

**(c) Design quality and its visual impact on the locality**

37. The Government attaches great importance to the design of the built environment, with national policy placing great emphasis on the importance of good design as a key aspect of sustainable development. The requirements outlined in paragraph 130 of the NPPF include the need to add to the overall quality of the area and establish or maintain a strong sense of place. While appropriate innovation and change, such as increased density, is not to be prevented or discouraged, developments must be sympathetic to local character, including the surrounding built environment.
38. Paragraph 126 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is considered to be a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
39. The NPPF calls for significant weight to be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit within the overall form and layout of their surroundings.
40. The National Design Guide (2019) further supports the principles of the NPPF and seeks to illustrate 'how well-designed places that are beautiful, enduring and successful can be achieved in practice'. This sets out ten characteristics

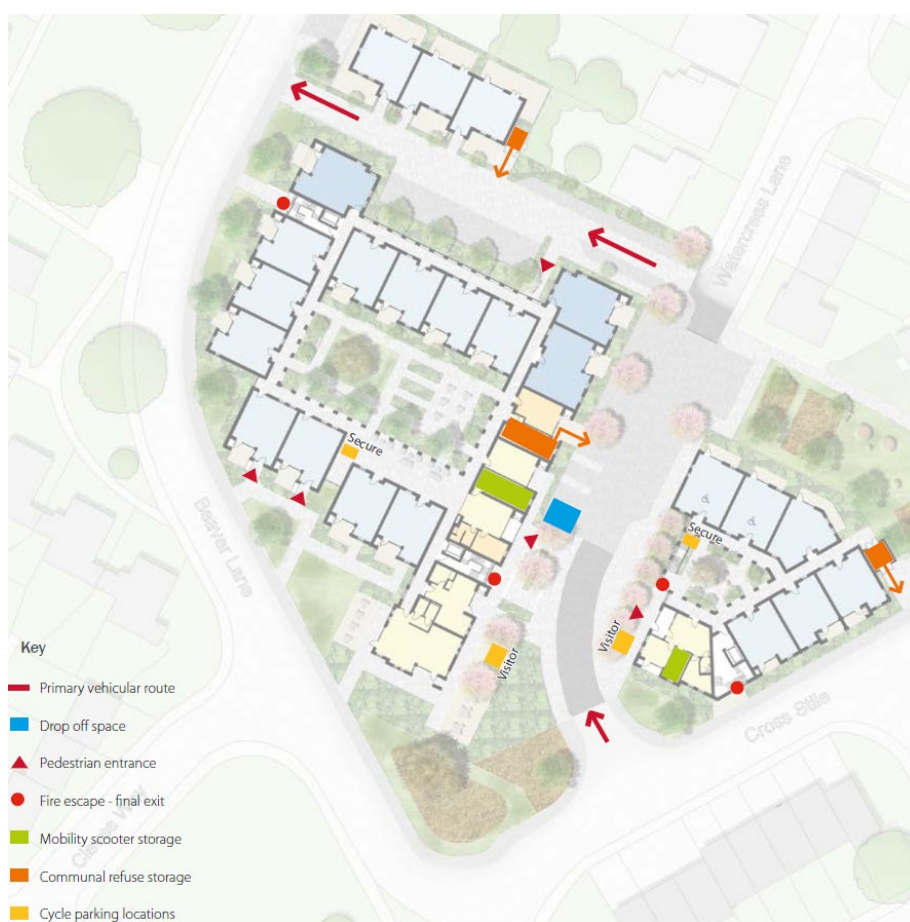
of well-designed places.

41. The Council places great weight on quality place making and Policy SP6 (Promoting High Quality Design) of the ALP is relevant and aligns with this national guidance. The policy sets out a number of design criteria to which new development is expected to positively respond.
42. The applicant has engaged with key stakeholders, including Officers and the community via an interactive design process. The proposals have also been subject to Design Review (see report in **Annex 1**). The following assessment considers the design quality of the scheme in relation to its layout and access, height, form, scale and massing and design and materials.

- **Layout and access**

43. As noted above, the unbuilt parts of the application site and the various parcels of open space surrounding it contribute to the character and visual amenity of the area. Whilst the layout of the accommodation for adults with learning disabilities has been designed to retain an element of landscaped open space adjacent to 32-38 Cross Stile, the introduction of buildings in this location would result in the loss of public land that contributes positively to the local character of the area, contrary to criterion (c) of Policy HOU3a of the ALP. However, as set out below I consider that the harm from such loss would be offset by the high quality of the proposed buildings and enhanced quality of the public and semi-public open spaces within and beyond the development. This is considered in more detail below.
44. More broadly the proposed layout retains the existing road arrangement and has been carefully considered to respond to the site's specific constraints and opportunities. Specifically, the proposed buildings have been designed to retain a view south along Watercress Lane towards the open space to the south of the application site and to an existing mature oak tree. The layout has also been designed to align and integrate with the established building lines of existing buildings on Watercress Lane, Beaver Lane and Cross Stile. The buildings would be set back from the roads with well-defined private and public spaces and landscaped frontages.
45. As noted by the Design Review Panel, long repetitive facades are not typical of the character of this area and the layout of buildings has therefore been broken up and staggered on Beaver Lane to create a variety of internal and external spaces for recreation and social interaction. In this respect, both accommodation blocks have been designed around landscaped courtyards which also maximise sunlight and daylight into the site interior. Internally, the communal areas of both buildings would be located either side of and fronting Watercress Lane and would be connected via a raised table crossing feature to slow traffic and allow for safe access and movement between the buildings and adjacent open spaces.

46. The main vehicular, cycle and pedestrian access to the site would be via Watercress Lane as shown in **Figure 7** below. An additional one-way shared surface link road is proposed between Watercress Lane and Beaver Lane to provide access to the proposed mews cottages and off-street parking. Vehicular access would be retained from Watercress Lane. Pedestrian access would be provided to the main entrances and in some cases private front doors from various points on the adjacent highways. Subject to a Stopping Up Order (to be addressed by condition), the existing public right of way would be stopped up. The layout of the development allows for good pedestrian connectivity and ease of movement as required by Policy SP6 of the ALP.



**Figure 7: Site access strategy**

47. Overall I am satisfied that the layout responds well to the site's different edge conditions and would be compatible with the character of the surrounding area in accordance with criterion (a) of Policy HOU3a of the ALP. I am also satisfied that the detailed vehicular, pedestrian and cyclist access arrangements would be acceptable.

- **Height, form, scale and massing**

48. The supporting text to Policy SP6 of the ALP requires all development proposals to reflect their local context and where the built environment is of decent quality, new proposals should be sensitive in terms of scale, height, layout and massing to surrounding buildings.
49. As shown in the massing diagram in **Figure 8** below, the largest of the buildings would be 3-storeys in height adjacent to Watercress Lane and Beaver Lane and would match the height and scale of the existing Star building. The building height would be reduced to two-storeys adjacent to the link road and the bungalow at 25 Watercress Lane.



**Figure 8: Massing diagram**

50. As shown in **Figure 9** below, the 3 mews cottages would be single storey and comparable in height and form to the adjacent bungalow. The height of the mews cottages would also reflect the proximity of this part of the development to 333 Beaver Lane.



**Figure 9: Mews cottages**



51. In recognition of the different edge conditions and specifically the relationship with the terrace of two-storey houses at 32-38 Cross Stile, the accommodation for adults with learning disabilities dwellings would be limited to 2-storeys in height. Whilst there are a variety of flat and pitch roof buildings on the existing site and in the immediate vicinity, the proposed development would all feature traditional pitch roofs. I consider this to be an appropriate response that would unite the whole development through a coherent and common form.
52. The scale and massing of the buildings has been varied to respond to the immediate context, with more prominent parts of the site celebrated through the use of architectural features including gables and bays. The longer blocks, including those fronting Watercress Lane and Cross Stile, have also been articulated with a series of gables and bays to give greater vertical emphasis to these longer facades. As noted by the Design Review Panel the use of repetition is a positive element of the proposal.
53. In summary, I consider that the height, form, scale and massing of the development would be appropriate for this suburban site and is compatible with the surrounding area in accordance with criterion (a) of Policy HOU3a of the ALP. In my view, it would be an acceptable and complementary response to the surrounding townscape.

- **Design and materials**

54. In terms of detailed design, the buildings exhibit strong architectural expression and include a welcome balance of shadow and depth through a rich combination of projecting and recessed elements such as balconies. Key viewpoints have also been identified, including from the main road junction as shown in the visualisation in **Figure 10** below, to which the buildings have been designed to respond. The design incorporates quality detailing, including textured facades which would result in visually rich and distinctive modern buildings. To ensure a high quality finish I concur with the Design Review Panel recommendation that large scale drawings (at 1:20 and 1:5 scale) of key elements of the building should be secured by planning condition.



**Figure 10: Visualisation from junction of Beaver Lane, Watercross Lane and Cross Stile**

55. In terms of materials, the elevations would comprise a high quality buff/beige coloured multi-brick with areas of textured brick. The communal areas would be demarcated by a red brick plinth to give a clear definition of the different functions of the building. There are also opportunities to introduce accents of colour on the front doors, benches and balconies to add visual interest and emphasise the proposed architectural quality of the development. It is proposed to use plain clay roof tiles to assimilate the development into its surroundings. I concur with the Design Review Panel recommendation that samples of materials should be secured by condition.
56. In summary, I consider that the buildings would be of high quality design. The buildings and associated landscape strategy would enhance the townscape in this prominent location whilst also being sympathetic to the local context and character of the surroundings in accordance with Policies SP6 and HOU3a of the ALP.
- (d) Housing mix and standard of accommodation proposed**
57. Policy HOU18 of the ALP 2030 requires development proposals of 10 or more dwellings to deliver a range and mix of dwelling types and sizes to meet local needs. The application is supported by a Statement of Need which identifies approximately 40 young people between the ages of 18-25 with less complex learning disability needs who are in residential care homes but who would like to be accommodated in the community. This is in addition to the young people who will be ready to leave the parental home or who are in foster care, residential education or children's care homes.

58. The proposed accommodation for adults with learning disabilities would all comprise flats and be similarly weighted towards 1-bed units (92%), followed by a single 2-bed 3 person unit (8%). This range of accommodation types and sizes is considered appropriate to the mix of dwelling types and sizes in the local area.
59. Notwithstanding that Policy HOU18 exempts development proposals for standalone older persons housing from the requirement to deliver a range and mix of dwelling types and sizes, the proposed sheltered accommodation would include a range of accommodation types and sizes, including 1-bed flats (41 units/76%), 2-bed 3 person flats (10 units/19%) and single-storey 1-bed 'cottages' (3 units/5%). I am satisfied that the proposals would comply with the broad objectives of Policy HOU18.
60. All dwellings would comply with the Nationally Described Space Standards in accordance with the Council's Residential Space and Layout SPD and provide private external open space in the form of projecting or recessed balconies or at ground floor private gardens in accordance with Policies HOU12 and HOU15. In response to concerns raised by the Design Review Panel, all of the units would be dual aspect and a number would be triple aspect and have been orientated to benefit from cross ventilation, good levels of daylight, sunlight, outlook and privacy. The development makes provision for 6 M4(3) wheelchair accessible units (3 in each block), with the remainder all exceeding M4(2) requirements.
61. The development would benefit from a mix of communal and private entrances and communal living spaces and provide a good standard of living accommodation for future occupiers. The submitted Statement of Need confirms that the application site has been identified as suitable for both older people and adults with learning disabilities to capitalise on the opportunities to create an intergenerational community. The statement also refers to links between this site and recently completed accommodation for older people and for adults with learning disabilities at Farrow Court. The proposals make adequate provision for refuse storage and collection in accordance with the Council's Residential Layouts and Wheeled Bins guidance.
62. As a flatted development within Ashford town, adopted Policy HOU1 of the ALP does not require the provision of affordable housing and therefore none is proposed. Notwithstanding this, the proposed development would be retained by the Council and the units let at affordable rents.

**(e) Amenity impacts**

63. Policy HOU3a permits residential development and infilling of a scale that can be satisfactorily integrated into an existing settlement provided a number of requirements can be met, including (b) where it would not create a significant adverse impact on the amenity of existing residents.

64. The application site is located in an established residential area of Ashford and there are a number of dwellings located on Beaver Lane, Watercress Lane and Cross Stile with potential sensitivity to the redevelopment of the site.
65. The accommodation for adults with learning disabilities involves the erection of buildings on parts of the site where none currently exist. It is therefore necessary to consider whether the development would result in any significant adverse impacts on the amenities of existing residents of surrounding buildings. These include the residents of the 4 terraced dwellings (32-38 Cross Stile) and the end of terrace dwelling at 2 Watercress Lane immediately west of the site and shown in **Figure 11** below.



**Figure 11: View of 2 Watercress Lane and 32-38 Cross Stile**

66. The development would significantly change the outlook from the front of the 5 dwellings from one of a long open aspect over the open space, to one of a significantly smaller area of open space enclosed by the two-storey buildings of the proposal. The retained open space would be publically accessible and include four parking bays at each end and enhanced landscaping throughout. Whilst the proposed building has been set back to ensure a minimum of 21m building to building relationship, and a minimum of 18m from their front garden boundaries, the outlook from these dwellings would be impacted and reduced.
67. In considering whether this impact on outlook would be unreasonable I am mindful that this side of the proposed building would be well articulated, both in terms of its cranked layout and in terms of its varied materials palette and fenestration to ensure that it would not appear overbearing or visually oppressive. It would be set back an acceptable distance and be separated by a high quality landscaped space that would include 7 new trees.
68. The southernmost part of the accommodation for adults with learning disabilities would be located adjacent to Cross Stile directly opposite the 3-storey dwellings at 23-31 Cross Stile. Whilst the development would also

change the outlook from these dwellings from that of open space to two-storey buildings their layout would replicate a traditional street pattern and by reason of their lower scale and quality design would not. In my opinion, be visually oppressive or overbearing. By reason of the distances of separation and orientation, I am satisfied that there would be no harmful impacts to any surrounding dwellings in terms of loss of privacy or light.

69. The accommodation for older adults would be located on a site with existing buildings. Although the replacement buildings would be higher, by reason of the layout of the site and separation distances with dwellings opposite, the only dwellings with potential to be adversely impacted are 333 Beaver Lane and 25 Watercress Lane directly to the north of the site. Both of these dwellings and their gardens share side boundaries with the application site.
70. 333 Beaver Lane is a two storey detached dwelling with rear garden. As existing the footprint of the two-storey Oakleigh House extends along the length of the garden boundary. Although the single storey mews cottages would occupy a larger footprint and extend further along the boundary than the existing building in this location, it would be lower in height such that the proposals would not result in any additional harm to the amenities of this dwelling or garden space. Similarly, the proposals would result in buildings coming closer to the boundary with the rear gardens of 25 and 27 Watercress Lane; however the single storey nature of the development would prevent any unacceptable harm to amenity, including in terms of loss of light or overshadowing, outlook or privacy.
71. The proposed development would step down to 2-storeys at the closest point to the single storey bungalow at 25 Watercress Lane and also be separated by the shared surface access road. There is an existing access and hardstanding in this location and I am satisfied that the proposals would not result in unreasonable levels of additional noise or disturbance. I also note that it is proposed to create a 2.4m high boundary treatment along the shared side boundaries with these properties which will further mitigate any impacts. I recommend that further details be secured by condition.
72. A number of representations received relate to the construction related impacts on amenity. Whilst these would be temporary in nature, the scale of the development within a residential area warrants controls, including in relation to hours of construction and noise and dust emissions. I recommend these be secured as part of a Construction Management Plan via an appropriate condition.
73. Overall I am satisfied that the proposals would safeguard and a good standard of amenity for existing and future users of development in accordance with paragraph 130 of the NPPF and the requirements of Policy HOU3a of the ALP.

**(f) Highway impacts, car and cycle parking, EVC and refuse strategy**

74. The planning application is supported by a Transport Statement (TS) in accordance with the requirements of Policy TRA8 of the ALP. The TS concludes that the site is in a sustainable location with good access to public transport serving a range of facilities and services in the local area.
75. The main vehicular, cycle and pedestrian access to the site would be via Watercress Lane. An additional shared surface link road is proposed between Watercress Lane and Beaver Lane to provide access to the proposed mews cottages and off-street parking. The accesses would benefit from the required visibility splays.
76. The proposed layout includes provision of a raised table crossing feature to connect the two sites and allows for safe access across the development. This would also act as a traffic calming measure. Subject to securing these highway works via a Section 278 Highways Agreement the development would not prejudice highway safety.
77. The proposed development would result in a modest uplift of residential units on the site and the Highway Authority is satisfied that it would not create additional traffic generation that would result in unacceptable impacts on the local highway network, including in terms of highway capacity. The development would not impact on existing access arrangements, including for emergency vehicles. In recognition of the scale of the development, I consider it reasonable to require the submission of a Construction Management Plan, to include details of lorry routing and contractor parking. The proposal is therefore acceptable in highway terms and consistent with criterion (e) of Policy HOU3a.

**- Car parking**

78. Policy TRA3 (a) of the ALP sets out the required parking standards for new development within town centre, suburban and rural locations but also permits flexibility, for example where there is a good level of accessibility to shops and services and a good level of non-car access. The proposed development would comprise a Sui Generis use where policy TRA3 requires parking provision to be proportionate to its activity and be agreed with the Highway Authority.
79. The proposals make provision for 37 on-site car parking spaces (including 2 disabled spaces) which would be distributed across the development both within a small parking courtyard and adjacent to the street to support the overall street design and provide a parking for each building. 4 spaces accessed from Cross Stile would be allocated to existing neighbouring dwellings. I recommend the provision of these spaces be secured by condition.

80. The quantum of parking has been informed by the parking provision in similar developments, including at East Stour Court (parking ratio of 0.6:1) and Farrow Court (parking ratio 0.5:1). The proposed parking ratio of 0.5:1 is comparable to other developments and has been agreed by the Highway Authority. In my view, and acknowledging the provision of secure mobility scooter parking and charging facilities, it would be acceptable taking account of the typically low levels of car ownership by occupiers of specialist accommodation such as this.

- **Electric vehicle charging (EVC)**

81. Whilst the TS confirms that infrastructure to enable the future installation of EVC will be provided, no details of the layout and specification of either active or passive provisions have been provided. As recommended by the Highway Authority, EVC should be provided at minimum 10% active and 10% passive. I recommend that further details be secured by condition to help stimulate the take-up of EV's by residents through good on-site infrastructure provision.

- **Cycle parking**

82. Policy TRA6 of the ALP requires cycle parking to be provided for Sui Generis uses such as this on a case by case basis. Provision is shown for 8 Sheffield stands to provide parking for 16 cycles. These would be easily accessible to the main building entrances of both blocks, appropriately integrated into the landscaping strategy and sited to benefit from passive surveillance. Subject to a condition to require provision of the cycle parking facilities shown I concur with the Highway Authority that the proposals are acceptable in this regard.

- **Refuse strategy**

83. Sufficient communal refuse and recycling storage has been incorporated into the ground floors of both developments. The storage areas are easily accessible from the building cores and capable of being serviced from the adjacent highways without compromising safety. The Council's Street Scene and Open Spaces Officer is satisfied with the arrangements.

84. I recommend that provision of the facilities be secured by a condition requiring the agreement of final details (to ensure good practice in relation to general waste, food waste and recycling, including details of internal signage and any other related proposals to achieve such practice and help avoid cross-contamination).

**(f) Landscaping**

85. The planning application is supported by a Landscape Statement which includes a Landscape Masterplan relating to both the application site and 3

nearby open spaces of Council owned land as shown in **Figure 12**. As noted by the DRP, the Landscape Masterplan shows how the landscaping proposals for the application site could be integrated into a wider landscaping strategy to benefit the wider area.



**Figure 12: Landscape Masterplan subject area**

86. The vision for adjacent open spaces (outlined in red in **Figure 12** above) is to create areas of bio-diverse planting, including tree planting and wildflower meadows with seating and incidental play elements to follow a natural and ecological theme with wooden logs, boulders and timber play equipment and a trail with play relating to nature with timber snails, insects and dragonflies. The vision also includes potential for a swale with bridging points and ecological enhancement measures for example bird boxes, bug boxes and log piles. There is also scope to include wayfinding and information panels. An indicative image of one of the spaces is shown in **Figure 13** below.





**Figure 13: Indicative image of off-site open space enhancements**

87. The elements of the Masterplan that relate to land outside of the defined application boundary are not subject to assessment as part of this application. However the land is also Council owned and the precise details of those aspects of the Landscape masterplan can be the subject of a pre-commencement worded planning condition that deals with public consultation on the proposals and their refinement arising from that public involvement, submission of a final scheme for approval, submission of long term management and maintenance arrangements and a clear delivery timetable.
88. Within the defined red-line application site the Landscaping Strategy identifies a number of opportunities, including to provide an enhanced public realm with increased pedestrian connections and permeability across the site. As shown in the extract from the Landscape Concept Plan in **Figure 14** below it is proposed to use high quality hard and soft landscaping (including extensive tree and shrub planting) to create a number of distinct landscape character areas across the site, including to the boundaries, mews, Watercress Lane, communal courtyards and community green space.



**Figure 14: Extract from Landscape Concept Plan**

89. The site wide planting strategy would incorporate a mix of trees, blooming shrubs, perennials, grasses, hedging and bulbs. The planting would serve to soften the boundaries and provide biodiversity benefits. Whilst it is necessary to remove a number of trees to facilitate the development, significantly more would be planted. The tree planting strategy shown in **Figure 15** below includes the creation of avenues of tree planting along Beaver Lane, Watercress Lane and Cross Stile. It is also proposed to plant 3 oak trees at the prominent junction at the southern end of the site.



**Figure 15: Tree planting strategy**

90. The residents' communal courtyard gardens have been well designed and make provision for tables and sitting spaces to encourage interaction and foster community. They also include planting beds and growing areas, an area of lawn and feature trees. The community green space would include amenity grass, informal play space and ecological meadow areas.
91. I recommend further details of the hard and soft landscaping to include materials specification, planting schedules, species and densities and a management strategy be secured by condition.
92. In summary, the proposals would result in significant enhancements to hard and soft landscaping across the application site compared with the existing situation of little to no landscape planting. The proposals would make a significant contribution to the quality of the development and create an area of high quality public realm. Revisions to the tree planting strategy have been secured in response to comments from the Council's Tree Officer to ensure that the soft landscaping is fully integrated into the layout and design and offers maximum visual interest and biodiversity benefits in accordance with relevant planning policy and guidance.

- **Ecology and biodiversity**

93. The site is not subject to any national or local nature conservation designations. Undeveloped parts of the site comprise amenity grassland of low ecological value. There are no suitable habitats for any protected species. Notwithstanding this, the site offers much scope for ecological and biodiversity enhancement in accordance with the requirements of Policy ENV6 of the ALP.

Enhancement opportunities may include the incorporation of planting of appropriate native herbaceous and shrub species to provide nesting and foraging opportunities and the installation of bird boxes. I recommend further details be secured by condition.

94. An indicative lighting strategy has been submitted. Being mindful of the site's suburban location and the existence of overspill light from existing street lighting I am satisfied that the principle of external lighting in this location is acceptable. I recommend that details of the external lighting strategy are secured by condition to ensure that it adequately balances safeguards safety, amenity and the need to avoid light pollution as per the requirements of Policy ENV4 (Light Pollution and Promoting Dark Skies) of the ALP.
95. In summary, I am satisfied that the development proposals would enhance the ecology and biodiversity value of the site in accordance with Policy ENV1 and ENV4 of the ALP.

- **Surface water and drainage**

96. Policy ENV9 of the ALP and the adopted Sustainable Drainage SPD state that all development should include appropriate SuDs for the disposal of water in order to avoid any increase in flood risk or adverse impact on water quality.
97. The application is supported by a Drainage Statement confirming that the proposed development would incorporate a sustainable drainage system which would discharge surface water at a restricted rate of 4l/s and 2l/s via three separate restricted discharges. Surface and foul water collected from the existing buildings and hardstanding areas are currently discharged in an unrestricted manner. Surface water storage would be provided for all storm return periods up to and including the 1:100 rainfall event with an allowance for climate change. Foul drainage for the western site would be discharged to the public foul sewer beneath Beaver Lane. Development for the eastern part of the site would discharge by gravity to the existing public foul water sewer located beneath Cross Stile to the south of the site.
98. The site lies within flood zone 1 with a very low risk of flooding. Neither the Local Lead Flood Authority or Southern Water raise objection to the details submitted, subject to conditions to secure further details of the foul and surface water strategy.
99. Southern Water note that there are public sewers within the vicinity of the site and that their exact location should be identified. I recommend that this information, including details of any necessary diversions can be secured by condition.
100. In summary, the hierarchy of surface water disposal has been adhered to, resulting in proposed connections to the public sewers in the vicinity of the

development. Surface Water flows are to be attenuated on site and discharged at a restricted rate. Permeable paving shall also be incorporated into the proposed drainage infrastructure, which would improve water quality and provide biodiversity benefits in accordance with the requirements of national and local planning policy and the Council's Sustainable Drainage SPD.

- **Contamination**

101. The planning application is supported by Phase 1 and Phase 2 investigations which have identified potential soil and groundwater contamination on the site. The Council's Environmental Protection Officer notes the prior uses of the site and the potential for contamination that may pose a risk to the environment and public. I concur with their recommendation to impose conditions to ensure that the potential for contamination is subject to further assessment and appropriate remediation where required.

**(g) Sustainability and climate change**

102. The planning application is supported by a Sustainable Design and Construction Statement. The proposed energy strategy is based on zero fossil fuel use through the installation of Ground Source Heat Pumps (GSHP) comprising 20-25 boreholes located around the footprint of the building which would be connected to heat pumps within individual flats capable of providing heat via underfloor heating as well as hot water. It is also proposed to install photovoltaic (PV) solar panels to generate renewable energy on site. In the absence of any further scheme information at present, including whether PVs would be mounted or integrated, I recommended fine details of the PV scheme be secured by condition.
103. In addition, the design of the buildings incorporate careful façade engineering and passive architectural measures (including external shading) optimising heat loss, preventing overheating due to solar gain and minimising air leakage through high standards of air-tightness within each unit.
104. More widely, the development would respond to the challenge of climate change through the incorporation of SuDS, high energy efficiency equipment and low flow water fittings. I recommend a condition to restrict water consumption to no more than 110 litres per person per day in accordance with the requirements of Policy ENV7 of the ALP. The proposal also provides for electric vehicle charging. This would be in accordance with the requirements of Policy ENV12 of the ALP which requires all major development proposals to promote a shift to the use of sustainable low emissions transport.
105. In summary, I am satisfied that the proposed development has been designed to address and mitigate the risks of climate change, including through the implementation of a low carbon energy strategy and the construction of a

building designed to minimise energy consumption. In this regard the proposals are consistent with national and local planning policy and guidance.

**(h) Housing Land Supply**

106. The Council's 5 year housing land supply for the Borough is material to the consideration of this application. The Council's latest Housing Land supply position 'Five Year Housing Land Supply Update July 2021' was published in November 2021 and covered the period from 2021 to 2026. This identified that the deliverable housing land supply was equivalent to 4.54 years.
107. However, an Inspector recently published an appeal decision, (reference APP/E2205/W/21/3284479 - Land between Woodchurch Road and Appledore Road, Tenterden, Kent, TN30 7AY) which challenges the Council's assumptions. The appeal decision referred to as the 'Wates' appeal is dated 30 March 2022<sup>[2]</sup>. The appeal decision suggests that the Council is only able to demonstrate a 5-year housing land supply position of 3.5 years.
108. The Council's view is that there are a number of issues associated with this appeal. These issues primarily relate to the assumptions made by the Inspector about the delivery of sites located in areas of the Borough that fall within the Stour Catchment (where Natural England's Nutrient Neutrality Advice<sup>[3]</sup> applies). The Council also note that the Inspector does not appear to have taken into account a recent letter from the Chief Planning Officer (dated 16 March 2022) which clearly elevates the nutrient issue and recognises that in affected areas "*there may be implications for the Housing Delivery Test and 5 Year Housing Land Supply*". This letter was written before the Wates Inspector made his decision.
109. Unless a legal challenge to the 'Wates' appeal decision is successful in the Courts then it is accepted that the figure of 4.54 years is not the starting point in relation to the application of paragraph 11(d) of the NPPF (which is referred to as the 'tilted balance'). This requires the decision-maker to grant planning permission for new housing development unless:-
- i) *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - ii) *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.'*

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<sup>[2]</sup> Appeal decision reference APP/E2205/W/21/3284479  
<https://planning.ashford.gov.uk/Planning/IDOX/default.aspx?docid=2065991>

<sup>[3]</sup> Natural England Nutrient Neutrality Advice <https://www.ashford.gov.uk/media/0jabvost/ne-march-2022-letter-water-quality-and-nutrient-neutrality-advice.pdf>

110. In effect, paragraph 11(d) requires additional weight to be given to the issue of delivery of homes in the required balancing exercise. Although the identified impact on Stodmarsh (considered further below) would normally mean that part (i) above applies, the Head of Planning and Development will, once a mitigation strategy is identified, be able to adopt an Appropriate Assessment that concludes that there will be no adverse effect on the integrity of the protected site and as such the first exemption to paragraph 11(d) would no longer apply.
111. On the second exemption, I do not consider that adverse impacts could be demonstrated that would reach the required bar so as to dictate a refusal of planning permission in the current circumstances where the Council cannot demonstrate a 5 year housing land supply and so my conclusion is that this exemption would also not apply. The tilted balance is therefore engaged and the implications of this are considered in the conclusion below.

**(h) Habitats Regulations**

112. Since the application was submitted, the Council has received advice from Natural England (NE) regarding the water quality at the nationally and internationally designated wildlife habitat at Stodmarsh lakes, east of Canterbury, which in particular includes a Special Area of Conservation (SAC), a Special Protection Area for Birds (SPA) and a Ramsar Site.
113. The importance of this advice is that the application site falls within the Stour catchment area and the effect is that this proposal must prima facie now be considered to have a potentially significant adverse impact on the integrity of the Stodmarsh lakes, and therefore an Appropriate Assessment (AA) under the Habitats Regulations 2017 (as amended) would need to be undertaken and suitable mitigation identified to achieve 'nutrient neutrality' as explained in NE's advice, in order for the Council to lawfully grant planning permission. This is consistent with the KCC Ecological Advice Services request.
114. Under the Council's Constitution, the Head of Planning and Development already has delegated authority to exercise all functions of the Council under the Habitats Regulations. This includes preparing or considering a draft AA, consulting NE upon it, and amending and/or adopting it after taking into account NE's views.
115. The planning application is supported by a Nutrient Neutrality Assessment which confirms that mitigation will be required in order for the development to achieve 'nutrient neutral' status. Whilst the application refers to potential mitigation in the form of a proposed 0.55ha off-site wetland located adjacent to the East Stour River near to the Stour Centre, it has not been demonstrated that such a wetland would comply with Natural England guidance. The wetland is not subject to assessment as part of this planning application and in the absence of this mitigation strategy (or any other) having been identified

and demonstrated to be deliverable, it is not possible to conclude at this moment in time that the scheme would be nutrient neutral.

116. However, work commissioned by the Council has commenced on identification of a package of strategic mitigation measures that should enable relevant developments within the Borough's River Stour catchment (where the NE advice applies) to come forward on a 'nutrient neutral' basis, subject to appropriate obligations and conditions to secure the funding and delivery of the mitigation before occupancy of the development.
117. Therefore, on the basis that this proposal is considered to be otherwise acceptable in planning terms, I recommend that a resolution to grant planning permission should also be subject to the adoption by the Head of Planning and Development (having consulted NE) of a suitable Appropriate Assessment to address the Habitats Regulations, to the effect that the proposed development will not adversely affect the integrity of the SAC, SPA and Ramsar Site (by achieving nutrient neutrality), and to secure any necessary additional obligation(s) pursuant to a planning agreement and/or planning conditions that are necessary in order to reach that Assessment and ensure that at the time of occupancy the necessary mitigation is in place. This is included as part of my Recommendation (B) detailed further below.

**(i) Planning Obligations**

118. 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
119. In accordance with the requirements of policy IMP1, I recommend that the planning obligations set out in Table 1 below be secured in the event that planning permission is resolved to be granted. For the reasons I have set out the obligations 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.
120. KCC have made a number of requests for S106 money, however the Council is currently reviewing these requests to make sure they are aligned with the Regulations and that clear evidence is available to justify the amounts. Until this has been resolved, the Council will continue to rely on the pre 2020 requests from KCC as those are judged to be robust and based on evidence that was in the public domain.
121. Recommendation (A) further below deals with the necessity for the applicant



to enter into an s106 agreement and includes delegation to officers to deal with any necessary deletions, amendments and additions that might be required. Recommendation (B) further below provides for delegation to officers to deal with any additional s106 obligations that might be necessary to mitigate against impacts of development on the integrity of Stodmarsh SAC, SPA and Ramsar site.

**Table 1 - Heads of Terms for Section 106 Agreement/Undertaking**

Obligation No.	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts (s)	Trigger (s) Points	
<b>Ashford Borough Council Planning Obligations</b>				
1.	<p><b><u>Specialist Affordable Housing</u></b></p> <p>The flats shall only be occupied by people aged 50 years or older or adults with learning disabilities and (where relevant) any spouses/partners/children/carers, and the flats shall remain affordable in perpetuity. The flats shall be let at rents that are affordable. The flats shall be constructed to such standards and other particulars as the Council specifies. The flats for older people and onsite manager provision shall be managed by Ashford Borough Council. The flats for adults with learning disabilities and onsite manager</p>	None	None	<p><b>Necessary</b> as there is a clear and demonstrable need for the provision of such accommodation to address a current under provision and the level of both parking provision and contributions secured towards infrastructure requirements is based on such a use and not general demand housing.</p> <p><b>Directly related</b> as the scheme proposes redevelopment of existing affordable housing provision for new sheltered housing and new development specifically designed for adults with learning disabilities.</p> <p><b>Fairly and reasonably related in scale and kind</b> as there is no intention for persons under the age of 50 and not in</p>

	<p>provision shall be managed by Kent County Council or other body approved by Kent County Council which has a nomination agreement with the Council.</p> <p><i>Units to be let at no more than 80% market rent and in accordance with the nomination agreement.</i></p>			<p>need of affordable accommodation or with learning disabilities to live in the units, and no provision has been made for contributions towards education and other infrastructure in view of this age restriction.</p>
2.	<p><b><u>Accessible and Adaptable Dwellings</u></b></p> <p>In accordance with Policy HOU14:</p> <p>All homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p> <p>Wheelchair accessible housing [totalling 6 number of dwellings] built in compliance with building regulations M4(3b) standards shall be provided within the</p>	<p>100% M4(2) across the whole site.</p> <p>M4(3b): 6 number of dwellings.</p>	<p>All accessible and adaptable homes to be constructed before the occupation of any dwellings.</p>	<p><b>Necessary</b> as providing a mix and type of housing required to meet identified needs in accordance with Policy HOU14 of Local Plan 2030 and guidance in the NPPF.</p> <p><b>Directly related</b> as the accessible/adaptable housing would be provided on-site.</p> <p><b>Fairly and reasonably related in scale and kind</b> as based on a proportion of the total number of housing units to be provided.</p>

	scheme.			
3.	<p><b><u>Art and Creative Industries</u></b></p> <p>Project detail: Contribution towards the provision of public art or the delivery/enhancement of a facility.</p> <p><i>The Local Plan identifies the following facilities as strategic art spaces: Revelation at St Mary's, Rehearsal and Production Centre, Making and exhibiting workspaces, Arts use in community hubs.</i></p>	<p>£6690.45</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Upon occupation of 75% of the dwellings.</p>	<p><b>Necessary</b> in order to achieve an acceptable level and quality of provision pursuant to Local Plan Policies <b>SP1, IMP1, COM1</b> and guidance in the NPPF, the Ashford Borough Public Art Strategy and the Kent Design Guide.</p> <p><b>Directly related</b> as would improve the quality of facilities available to the development and would be available to occupiers.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development.</p>
4.	<p><b><u>Indoor Sports Provision</u></b></p> <p>Project detail (<b>off site</b>):</p> <p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards</p>	<p>Off site: £10848</p> <p>(capital only – contributions are derived from the latest</p>	<p>Upon occupation of 75% of the dwellings.</p>	<p><b>Necessary</b> 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 <b>SP1, IMP1, COM1</b> and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use indoor sports provision and the buildings</p>

	quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.	Sport England Calculator).  Indexation: BCIS General Building Cost index 2019		provided would be available to them.  <b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the number of occupiers and the extent of the facilities
5.	<b><u>Informal Natural Green Space*</u></b>  *public open space excluding amenity open space land and children and young people's play space.  Project detail: Contribution towards public open spaces within the vicinity of the site.	Capital contribution £8580.54  Plus  Commuted maintenance sum £6425.52  Indexation: BCIS General Building Cost index 2012	Upon occupation of 75% of the dwellings.	<b>Necessary</b> as informal/natural green space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies <b>SP1</b> , <b>IMP1</b> and <b>COM2</b> Public Green Spaces and Water Environment SPD and guidance in the NPPF.  <b>Directly related</b> as occupiers will use informal/natural green space and the facilities to be provided would be available to them.  <b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the

				maintenance period is limited to 10 years.
6.	<p><b><u>Outdoor Sports Provision</u></b></p> <p>Project detail: Schemes in the Ashford Urban Area:</p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>Capital contribution £8697</p> <p>Plus</p> <p>Pitch maintenance 10 yrs £5170</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Upon occupation of 75% of the dwellings.</p>	<p><b>Necessary:</b> 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 <b>SP1</b>, <b>IMP1</b>, <b>COM1</b> and guidance in the NPPF.</p> <p><b>Directly related:</b> as occupiers will use sports pitches and the facilities to be provided would be available to them.</p> <p><b>Fair and reasonably related in scale and kind:</b> considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
7.	<p><b><u>Strategic Parks</u></b></p> <p>Project detail: Contribution to be targeted towards quantitative and qualitative improvements at the strategic parks within the</p>	<p>Capital contribution £2886.54</p>	<p>Upon occupation of 75% of the dwellings</p>	<p><b>Necessary</b> as strategic parks are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies <b>SP1</b>, <b>IMP1</b> and <b>COM2</b>, Public Green Spaces</p>

	'Hubs' identified in the Local Plan 2030.	Plus  Commuted maintenance £929.23  Indexation: BCIS General Building Cost index 2012		and Water Environment SPD and guidance in the NPPF.  <b>Directly related</b> as occupiers will use strategic parks and the facilities to be provided would be available to them.  <b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.
8.	<b><u>Voluntary Sector</u></b>  Project detail: TBC	£1720.06  Indexation: BCIS General Building Cost index 2019	Upon occupation of 75% of the dwellings.	<b>Necessary</b> as enhanced voluntary sector services needed to meet the demand that would be generated pursuant to Local Plan 2030 Policies <b>SP1, IMP1 and COM1</b> KCC document 'Creating Quality places' and guidance in the NPPF.  <b>Directly related</b> as occupiers will use the voluntary sector and the additional services to be funded will be available to them.  <b>Fairly and reasonably related in scale and kind</b> considering the extent of the

				development.
<b>Kent County Council Planning Obligations</b>				
9.	<p><b><u>Adult Social Care</u></b></p> <p>Project detail: Towards Specialist care accommodation, assistive technology systems, adapting Community facilities, sensory facilities, and Changing Places within the Borough.</p>	<p>£1600.04</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p><b>Necessary</b> as enhanced facilities and assistive technology required to meet the demand that would be generated pursuant to Local Plan 2030 Policies <b>SP1, IMP1, COM1</b> KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use community facilities and assistive technology services and the facilities and services to be funded will be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>
10.	<p><b><u>Community Learning</u></b></p> <p>Project detail: Towards additional</p>	<p>£558.28</p>	<p>Half the contribution upon</p>	<p><b>Necessary</b> as enhanced services required to meet the demand that would be generated and pursuant to Local Plan 2030 Policies <b>SP1, IMP1, COM1</b> KCC's</p>



Ashford Borough Council - Report of the Head of Planning and Development  
 Planning Committee 14 September 2022

	resources and equipment at Ashford AEC for the additional learners from development.	Indexation: BCIS General Building Cost Index from Oct 2016	occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.  <b>Directly related</b> as occupiers will use community learning services and the facilities to be funded will be available to them.  <b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.
11.	<b><u>Libraries</u></b>  Project detail: Towards additional book stock, services, and resources for Ashford library for the new borrowers generated by this development.	£1632.68  Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.	<b>Necessary</b> as more books required to meet the demand generated and pursuant to Local Plan 2030 Policies <b>SP1, IMP1, COM1</b> KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.  <b>Directly related</b> as occupiers will use library books and the books to be funded will be available to them.  <b>Fairly and reasonably related in scale</b>

				<b>and kind</b> considering the extent of the development and because amount calculated based on the number of dwellings.
<b>Other Obligations</b>				
12.	<b><u>Health Care (NHS)</u></b>  Project detail: Towards refurbishment, reconfiguration and/or extension of Hollington Surgery within Ashford Stour PCN and/or towards a new general practice premises development.	£20088  Indexation: Indexation applied from the date of the resolution to grant permission.	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.	<b>Necessary</b> to increase capacity to meet the demand that would be generated by the development pursuant to Local Plan 2030 Policies <b>SP1, IMP1, COM1</b> and guidance in the NPPF.  <b>Directly related</b> as occupiers will use healthcare facilities and the facilities to be funded will be available to them.  <b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because the amount has been calculated based on the estimated number of occupiers.
<b>Monitoring</b>				
	<b><u>Monitoring Fee</u></b>  Contribution towards the	£1000 one-off payment.	Payment upon commencement	<b>Necessary</b> in order to ensure the planning obligations are complied with.  <b>Directly related</b> as only costs arising in connection with the monitoring of the

	Council's costs of monitoring compliance with the agreement or undertaking	Indexation: Indexation applied from the date of the resolution to grant permission.	of development	development and these planning obligations are covered.  <b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the obligations to be monitored.
<p><u>Notices</u> 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 and Kent County Council's legal costs in connection with the deed must be paid.</p> <p><b>PLEASE NOTE:</b></p> <ul style="list-style-type: none"> <li>• <b>If an acceptable deed is not completed within 12 months of the committee's resolution, the application may be reported back to Planning Committee and subsequently refused.</b></li> <li>• <b>Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change</b></li> </ul>				

## Human Rights Issues

122. 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

123. 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

124. The proposed accommodation for older people would comprise a sustainable redevelopment that includes brownfield land. I have identified that the accommodation for adults with learning disabilities would result in the loss of open space. It is clear from the representations received that the open space is highly valued by the local community. The applicant’s case is the community has access to a sufficient quantity of other open spaces in accordance with the requirements of the relevant Council policies and guidance and no objection is raised by Cultural Services with a request being made for financial investment to improve the quality of nearby parcels of Council owned land for the benefit of the community. I have also identified the proposal would result in some limited harm to the amenities of a small number of adjoining residents.
125. Whilst the proposal would result in some harm, this has to be weighed against the benefits of the development, including the social benefits in meeting a need for specialist housing, the aforementioned improvements to nearby open spaces and the related enhancements to ecology and biodiversity.
126. I am satisfied that the development would deliver a range of dwelling types and sizes that would provide a choice of high quality specialist housing and external amenity space for future occupiers. The accommodation for adults with learning disabilities will support residents to live independently and provide much needed accommodation for people who would otherwise remain in residential care. I afford this significant weight.
127. More broadly, I am satisfied that the proposals comprise a high quality well designed development. In terms of access, layout, scale and design the proposals would be well integrated with its surroundings. Externally, the

proposals incorporate acceptable car and cycle parking in accordance with adopted Policies in the ALP. The development would incorporate highly efficient low carbon technologies and has been designed to minimise energy consumption.

128. None of the adverse impacts I have identified, in particular the loss of the open space and the impact on residential amenity, would significantly and demonstrably outweigh the benefits of the development when considered against the policies in the NPPF taken as a whole. In the context of the tilted balance, I therefore conclude that planning permission should be granted in accordance with the Recommendations below.
129. Currently, insufficient information has been provided to allow the Council to assess the impact of the proposal on the Stodmarsh SAC, SPA and Ramsar Site under the Habitats Regulations. Therefore, the Recommendation (B) below to approve is subject to the adoption, under delegated powers, of an Appropriate Assessment to the effect that the development will not adversely affect the integrity of the SAC, SPA and Ramsar Site, and to secure any necessary additional obligation(s) and/or planning conditions to that end. Mitigation will be via an off-site solution. Upon adoption of an Appropriate Assessment I consider the proposed development to be acceptable and in accordance with the Development Plan.
130. As discussed within the main body of the report I recommend that a number of conditions will be necessary. My Recommendation (C) further below deals with delegation to add/amend/remove planning conditions as appropriate.

## **Recommendation**

- A. Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 above in terms agreeable to the Development Management Manager or the Strategic Development and Delivery Manager in consultation with the Director of Law and Governance, with delegated authority to either the Development Management Manager or the Strategic Development and Delivery Manager to make or approve changes to the planning obligations and planning conditions and notes (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit; and,**
- B. Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in his view, having consulted the Solicitor to the Council and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site alone or in combination with other plans or projects; and with delegated authority to the Development**

**Management Manager or the Strategic Development and Delivery Manager, in consultation with the Solicitor to the Council, to enter into a section 106 agreement/undertaking to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto,**

- C. PERMIT, 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 representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.**

Conditions:

1. Standard time implementation condition
2. Development carried out in accordance with approved plans
3. Details and samples of external materials
4. Fine details (at scale 1:50 or 1:20 as appropriate)
5. No vents or flues other than in accordance with details to be approved
6. Investigation, remediation and verification of contaminated land/groundwater
7. Reporting of unexpected contamination
8. Provision of vehicle parking
9. Details of signage relating to allocated parking to existing dwellings
10. Details and provision of EVC
11. Details and provision of secure cycle parking
12. Construction Management Plan to include details of routing of construction and delivery vehicles to / from site, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries, provision of wheel washing facilities, temporary traffic management / signage, control of dust etc.
13. Before and after construction of the development, highway condition survey for surrounding footway and verges
14. Provision of measures to prevent the discharge of surface water onto the highway
15. Details and provision of new roads, footpaths and raised table
16. Securing of necessary Stopping-Up Order for diversion of PROW
17. Provision of refuse storage
18. Details of any necessary public sewer diversions
19. Details of foul and surface water sewerage disposal
20. Details and provision of SuDS scheme including verification
21. Details of renewable energy strategy, including solar PV
22. Water use not to exceed 110 litres per person per day
23. Details and provision of on-site hard and soft landscaping, including allotment/growing beds

24. Details of hard and soft landscaping enhancements for adjacent open spaces, including details of public engagement and consultation and a timetable for delivery
25. Landscape Management Plan
26. Details and provision of external lighting strategy
27. Details and provision of biodiversity enhancement measures
28. Details of provision of Fibre to the Premises
29. Site Inspection

#### Notes

- Expect applicant to liaise with Kent Police to further review how Secured By Design principles can be included in fine detail etc.
- Environmental Protection notes relating to construction hours/burning of waste/control of dust
- KCC PROW notes relating to works in the vicinity of a PROW

### **Background Papers**

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://www.ashford.gov.uk)). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 21/01250/AS)

**Contact Officer:** Matthew Durling  
**Email:** [matthew.durling@ashford.gov.uk](mailto:matthew.durling@ashford.gov.uk)  
**Telephone:** (01233) 330288

## Annex 1 – Design Review Panel Report (August 2020)

### The proposal

Site location	Oakleigh House, Watercress Lane, Ashford, Kent TN23 5EL
Site details	<p>The site for this proposal is in the Beaver Green area of South Ashford, with Beaver Lane running along its western boundary. The western portion of the site currently contains the former sheltered housing scheme known as Oakleigh House and a block of flats to the south, known locally as the Star Block. Oakleigh House is currently vacant and the Star Block is due to be vacated imminently. It is believed that the buildings were constructed between 1960-1975 and both buildings are currently managed by Ashford Borough Council (ABC). There is a public right of way running between these two buildings that connects the linear green space on Knoll Lane with Cross Stile to the east. The site is split into two parts by Watercress Lane which has no through vehicular access. Although not publicly designated open space, the eastern portion of the site is currently undeveloped and is overlooked by houses along the northern boundary. The properties in the immediate vicinity of the site are typified by 1960 - 1980s 2 and 3-storey houses organised in terraces and courts, with brick and tile-hung facades and pitched roofs. The setting is characterised by green verges, open public green spaces, irregular street tree planting and off-street parking courts. A defining feature of the site is that it sits at the confluence of five roads, which creates an 'island' site with unusual geometries and varying alignments of buildings and street frontages.</p>
Proposal	<p>This is a proposal to demolish Oakleigh House and the Star Block and to re-provide independent housing for older people (in 51 apartments and 3 cottages) and accommodation for adults with learning disabilities (in 15 apartments) across two sites. The proposal includes shared communal and community spaces, landscaped gardens and enhanced landscaping for adjacent public open spaces.</p>
Planning stage	<p>Formal pre-application discussions were held in April 2020 and the Full Planning Application target submission is end of September 2020.</p>
Local planning authority	Ashford Borough Council



## The design review meeting

Reference number	1449/200820
Date	20 <sup>th</sup> August 2020
Meeting location	Online via Zoom
Panel members attending	Richard Portchmouth (Chair), Architecture, Urban Design Chris Bearman, Architecture, Housing Richard Hawkes, Architecture Peter Neal, Ecology, Landscape Architecture Emily Walsh, Urban Design, Transport Planning
Panel manager	Helen Goodwin, Design South East
Presenting team	Mary Hutchison, PRP Development Jenny Buterchi, PRP Development Adrian Judd, PRP Development Carolina Caneva, PRP Development
Other attendees	Giles Holloway, Ashford Borough Council Mark Chaplin, Ashford Borough Council Sharon Williams, Ashford Borough Council Councillor Paul Clokie, Ashford Borough Council Councillor Mick Burgess, Ashford Borough Council Councillor Lyn Studdard, Ashford Borough Council Bob Shrubbs, South Ashford Community Forum Jade Huang, Design South East
Site visit	This review was carried out during the Covid-19 outbreak in 2020. Independent site study including desktop research prepared by Design South East and a digital walk-around (in a similar fashion to that which would have been conducted on-site) was carried out prior to the review.
Scope of the review	As an independent design review panel, the scope of this review was not restricted.
Panel interests	Panel members did not indicate any conflict of interest.
Confidentiality	This report is confidential as the scheme is not yet the subject of a detailed planning application. Full details of our confidentiality policy can be found at the end of this report.

Planning context	<p>The existing buildings which are to be demolished are currently owned and managed by Ashford Borough Council. Whilst the open space on Cross Stile to the east which forms part of the application site is not formally designated as public open space, there is a presumption in favour of protecting open space in the Local Plan. The existing open space provision fails on quality and the loss of the open space on Cross Stile means there will be a deficit of open space locally. There are no designated play areas within 400m of the site. Ashford Borough Council have identified opportunities for the mitigation of the loss of open space through investment in the green spaces around the site. An informal pre-application meeting was held with ABC in January 2020 and a formal pre-app meeting was held with the designated planning officer in April 2020. A resident consultation event was held in January 2020 and a current public consultation has been extended to the end of August 2020.</p>
Planning authority perspective	<p>The principle of development in the heart of the existing community is supported, however the loss of open space is a concern. The authority sought the panel's view on the quality of the design of this proposal as a mitigating factor in relation to the loss of open green space and highlighted the need to balance this loss with ABC's need for provision of elderly and social care in the borough.</p>
Previous reviews	<p>This scheme has not previously been reviewed by the panel.</p>

## Summary

We support Ashford Borough Council's ambition to provide high quality accommodation for the elderly and those with learning difficulties and commend the council for bringing this scheme to design review to support the development of the best quality outcome.

However, the proposed built form and layout are not responsive to the characterful, irregular arrangement of buildings and spaces that typifies this neighbourhood. The built form lacks the simplicity to join in comfortably with the language of this residential estate and the opportunity for interstitial spaces to enhance the streetscape has been lost. Through further analysis of the context to inform a wider site strategy and through further iterative development of the layout, form and mass of the buildings, we consider that there is an opportunity to revise this proposal in a way that will create a more contextual response of a higher quality that better mitigates the loss of open green space.

## Key recommendations

1. Investigate the history of the masterplan for this estate to understand the distinctive social and environmental character that comes from the irregular arrangement of buildings and open spaces.
2. Carry out an analysis of the network of open green spaces of which the eastern part of the application site forms a part, to explain the quantum and consequence of the loss of open space.
3. Situate the proposal in a wider context with a site strategy that demonstrates how this development will contribute positively to the wider neighbourhood through enhancements to the quality of green space provision and better connectivity with surrounding amenities and with the network of green spaces.
4. Provide further evidence of the optioneering and of the iterative design process and evaluation that has led to this arrangement of buildings, streets and spaces across these two sites.
5. Revisit the form and layout to look for opportunities to introduce interstitial spaces and more irregular street frontages that will allow interesting vistas and places for informal social encounters.
6. Explore options for simpler geometries that will result in a less complex roof form, particularly where building volumes join, in order to respond better to the simplicity of form and the rectangularity of the buildings in this neighbourhood.
7. Revisit the layout of the interior and exterior spaces, particularly the single aspect apartments, courtyard-facing apartments, communal spaces and the internal

courtyard, to ensure that there is adequate daylight, sunlight and ventilation to make these spaces function well for users.

8. Provide more detail on the landscape design and planting strategy to demonstrate compensation for the loss of green space through rich planting that provides biodiversity and ecology net gain as well as enjoyable social spaces that function well for users.
9. Ensure that the energy strategy described aligns with the architecture. This energy strategy should be embedded in the design process.

## Detailed comments and recommendations

1. Site context and history
  - 1.1. More work is needed to understand the history of the current masterplan of this neighbourhood to inform the form and layout of this proposal. We would encourage further exploration of the history of the estate, including the realignment of the road layout over time, to understand the displaced arrangement of buildings which creates irregular street edges as a strong site condition.
  - 1.2. It is important to demonstrate an understanding of the arrangement of incidental open green spaces which, regardless of their 'ad hoc' appearance, are a strong feature of the neighbourhood. This will inform the debate over the loss of open green space.
  - 1.3. More in depth site analysis should be informing the language of any proposal inserted into this unique, if 'quirky', neighbourhood. Some analysis was lacking in the information presented and might have ensured a more coherent and contextual response that demonstrates how the scheme has been influenced by and will be a positive influence on this residential neighbourhood.
2. Site strategy
  - 2.1. The recent COVID pandemic has heightened an awareness of the provision and value of local open spaces and of their potential to contribute to quality of life and to individual and community health and well-being. This highlights the impact this proposal could have on the local community in terms of the loss of public open space and therefore the need for a very high-quality proposal to compensate for this loss.
  - 2.2. The proposal has potential to deliver an enhanced green infrastructure. With the loss in *quantity* of open space comes the opportunity to enhance the *quality* of open space provision across this neighbourhood. A wider site strategy should demonstrate how the development offers not only net social gain from its provision of social care, but also real ecological and biodiversity net gain for the wider neighbourhood.
  - 2.3. A site strategy should situate this proposal in the context of the wider green infrastructure network of which the eastern side of the site forms a part. This strategy would show the connectivity for pedestrians with the linear green space along Knoll Lane and with Singleton Lake beyond, both of which form important 'green lungs' for the neighbourhood of Beaver Green and which are important areas for recreation and dog-walking.

- 2.4. This site strategy should include a tree planting strategy that extends beyond the application site to link this proposal into the wider neighbourhood in order that the development offers environmental services and benefits to existing as well as new residents of this neighbourhood.
  - 2.5. We would encourage further exploration and presentation of alternative layouts for this scheme. Demonstration of the optioneering is important and will be a necessary component of the DAS to clarify the thought process that has led to this proposal. In particular, the possibility of reconfiguring the road layout, potentially realigning Watercress Lane to the north-east, would allow both sites to come together as one. Whilst we understand the cost implications where the relocation of underground services is required, a reconfiguration might not only rationalise the labyrinth of roads that converge at this site but could also improve the entrance zone which is split by Watercress Lane in this proposal.
  - 2.6. The language of the plan needs to draw inspiration from what lies beyond the red line boundary of the application site. The defining feature of this area is its 'quirkiness' - the irregular alignment of buildings frontages to streets, the unusual geometries of the two sites, the slack spaces between buildings, the labyrinth of roads that converge around a node of complex junctions. We are concerned that this proposal tries to organise the site in a way that feels out of character with this quirkiness, and we recommend exploring some further massing studies of alternative layouts. Allowing the plan to slip and slide in a more relaxed way would better respond to the defining character of this neighbourhood and might give opportunities for social spaces outside front doors. The social dynamics of the edges of the building as well as of the internal spaces should be guiding the layout of the plan.
3. Access and movement
    - 3.1. The diversion of the historic public right of way works well in terms of alignment, however opportunities could be explored to further animate this route to the east of Watercress Lane by providing a more active frontage with the proposed 'supported' housing. We would like to understand how this route extends beyond the application site and connects with Knoll Lane to the west and to the amenities at Brookfield to the east.
    - 3.2. The experience for pedestrians of the mews road which runs along the north of the main block beside the mews houses should receive further attention. Opportunities to create a convivial piece of public realm that prioritises the safety and comfort of vulnerable older people and pedestrians, rather than vehicular access, should be explored here.

- 3.3. There are opportunities to increase ease of movement for pedestrians, for example by tightening the radii on street corners which would slow traffic and make it easier for pedestrians to cross the many roads that converge at this node.
- 3.4. The site is well located in terms of public transport, but we would like to see a transport audit that shows current parking provision as well as walking and cycling access to the site to demonstrate how people living here can access education, health and leisure facilities. A travel plan should be provided that will clarify how sustainable transport will be supported.
4. Landscape and public realm
  - 4.1. This development offers an opportunity to consider the public realm more broadly and to improve the 'bleak' character of the surrounding streets and open spaces. By enhancing the experience of the neighbourhood, for example through tree planting, this would better integrate the development into the neighbourhood.
  - 4.2. Public realm improvements should demonstrate how both the loss of open green space and the increase in density and architectural form that will come with this proposal will be offset by the enhanced quality of the public and semi-public open spaces within and beyond the development. More detail on the landscape design is needed to demonstrate what this development will contribute to the wider neighbourhood in terms of biodiversity and ecological net gain.
  - 4.3. Whilst we understand that there has been some public consultation, we consider that providing some high level proposals for the design and use of the surrounding green spaces, particularly for the open space to the south of the site, would help secure community buy-in and support for this scheme by demonstrating enhanced quality of open space to compensate for its loss.
5. Built form, scale and mass
  - 5.1. A figure-ground analysis of the provision of open space in relation to built form across the neighbourhood, including of the existing Oakleigh House and Star Building, would be a useful drawing to contextualise the approach taken in this proposal. This would highlight the anomaly of the perimeter block approach, which creates aligned street frontages and extended elevations that are not typical of this neighbourhood.
  - 5.2. We consider that the spaces within and around the existing Oakleigh House building are potentially more interesting and varied than those provided within this development in terms of encouraging a variety of social and recreational uses. How the spaces within and around the building will be used by residents and neighbours is an important consideration that should inform the arrangement of the blocks.

- 5.3. Currently there are two competing design concepts, with contrasting building typologies on either side of the entrance zone on Watercress Lane - one a courtyard block and the other a point block. If the proposal is to draw these two sites together, the composition of forms must feel like a coherent ensemble of irreducible parts that, through their cohesiveness, compensates for the loss of open space. We are not convinced that the language of the whole yet has sufficient coherence.
- 5.4. Long, repetitive façades are not typical of the character of this neighbourhood and we question whether a more staggered arrangement of blocks might have been a more appropriate response. This could have created some interesting interstitial spaces that would have provided opportunities for informal gathering at street level. That said, the repetition in the elevation facing Beaver Lane is one of the more enjoyable and expressive elements of the proposal, but here the steeply pitched roofs provide a rhythm that is missing in the linear elevations facing Watercress Lane and the mews houses.
- 5.5. The view south down Watercress Lane towards the open green space to the south of the application site and to the signature oak tree - a view which is celebrated in the site analysis - is compromised by the protruding mass of the southern corner of the independent living block.
- 5.6. The acute angle of the building at this corner is aggressive and out of character with this neighbourhood. This southern corner of the site is prominent when looking north from Cleves Way and Beaver Lane and looking west from Cross Stile, where the existing Star Block provides a focal point. The current iteration of this corner is perhaps one of the proposal's least successful features, resulting from an attempt to maximise development on this site.
- 5.7. The complex geometries and roof form of the perimeter block are awkward and feel unresolved. This is particularly so where the building turns corners. A more simple, rectilinear set of forms would be a more contextual response, potentially opening up vistas between blocks and down Watercress Lane to the open space beyond.
- 5.8. Slicing through the elevation at the southern corner creates a stretched gable end facing the entrance court, which does not feel an appropriate expression for this prominent corner. This undermines the elegant form of the repetitive steep pitches facing Beaver Lane. Together with the flat roofed, single storey corner element, this creates an awkward arrangement of forms. The opportunity to create a stronger more focal element in this important location should be explored.
- 5.9. In the sheltered housing block, there is potential for a more elegant and expressive end of the building where it faces Crownfield Road, whilst the stretched gable end facing Cross Stile would benefit from further refinement.



5.10. Location of mechanical, electrical, power plant equipment needs to be shown on the drawings – in particular any that might affect the roof scape.

## 6. Layout

6.1. We have concerns about the number of single aspect dwellings to the north-west, north and north-east of the blocks which will receive no direct sunlight.

6.2. We also have concerns about the single aspect communal spaces where cross-ventilation will not be possible, especially in winter. The layout of all interior spaces needs to be considered in tandem with the energy strategy for this development.

6.3. The internal courtyard of the independent living block is likely to be predominantly in shade throughout most of the year, given the three-storey height of the surrounding blocks. This is contrary to the impression portrayed in the visualisations. Daylight and shading studies are necessary to show the reality of the situation and to ensure that this important communal area will be well used by residents and will offer high quality outdoor amenity space. This courtyard space requires further attention to understand its communal function.

## 7. Materials and detailing

7.1. We did not discuss the materials and detailing of this proposal to any great extent, although we consider that the variation in the brickwork on the Beaver Lane elevation detracts from the enjoyment of the repetition in this façade.

7.2. Paragraph 130 of the National Planning Policy Framework (2018) states: *'Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'*

7.3. In order to be consistent with this national policy, the applicant team and local authority should note Design South East's general guidance on material quality and detail. At planning application stage, the quality of the detailing should be demonstrated through large scale drawings at 1:20 and 1:5 of key elements of the building/landscape and should be accompanied by actual material samples which should be secured by condition as part of any planning approval.

## 8. Energy strategy

8.1. Currently the energy strategy described is not aligned with the architectural resolution and needs greater clarification and analysis to ensure that the building will reduce energy demand wherever possible.

- 8.2. The embodied energy footprint of this scheme needs to be calculated taking into consideration the requirement to demolish the existing buildings as well as the superstructure and finishes of the proposed replacement.
- 8.3. Our guidance is that at the planning application stage the proposal must produce a clear energy strategy which details how the development will optimise thermal performance, minimise the demand for energy, supply the remaining energy requirements efficiently and optimise the use of renewables in order to align with the Government's emerging zero carbon policy. This strategy should be informed by detailed modelling work informed by respected calculation methods.

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#### Confidentiality

If the scheme was not the subject of a planning application when it came to the panel, this report is offered in confidence to those who attended the review meeting. There is no objection to the report being shared within the recipients' organisations. Design South East reserves the right to make the contents of this report known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed, pre-application reports will be made publicly available if the scheme becomes the subject of a planning application or public inquiry. Design South East also reserves the right to make this report available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please inform us.

If the scheme is the subject of a planning application the report will be made publicly available and we expect the local authority to include it in the case documents.

#### Role of design review

This is the report of a design review panel, forum or workshop. Design review is endorsed by the National Planning Policy Framework and the opinions and recommendations of properly conducted, independent design review panels should be given weight in planning decisions including appeals. The panel does not take planning decisions. Its role is advisory. The panel's advice is only one of a number of considerations that local planning authorities have to take into account in making their decisions.

The role of design review is to provide independent expert advice to both the applicant and the local planning authority. We will try to make sure that the panel are informed about the views of local residents and businesses to inform their understanding of the context of the proposal. However, design review is a separate process to community engagement and consultation.