

Application Number	15/01282/AS
Location	Land south of Elwick Road, Elwick Place, Elwick Road, Ashford, Kent, TN23 1NR
Grid Reference	0074,4250
Ward	Victoria
Application Description	Outline application for residential development of up to 200 units within Class C2 (residential institution) and Class C3 (dwelling houses) uses and associated access arrangements (Phase 2) (Description Amended)
Applicant	Stanhope plc c/o Agent
Agent	Chloe Clark Savills Embassy House Queens Avenue Bristol BS8 1SB
Site Area	0.8ha

First Consultation

(a) 428/ 1R	(b) –	(c) Chamber of Commerce S, KCC Heritage X, KCC F&W X, EHM X, NR X, EA X, NE X, KCC H&T R, SGN X, PO(Drainage) X, SW X, HS1 X, HSE X, SACF S, CACF R, KCC PROW X, KWT R
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Second Consultation

(a) 428/ 1R	(b) –	(c) KCC H&T X, PO(Drainage) X, SW X, SGN X, HS1 X, Stagecoach X, CACF R, SSOS X, KCC Economic X, KCC Bio X, KCC F&W X, KWT R, NR X, EHM X
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Introduction

1. This application is reported to the Planning Committee as it involves the construction of over 10 dwellings and is therefore classified as a “major” development that requires determination by the Planning Committee under the Council’s scheme of delegation. It is also on land that is almost entirely owned by the Council, and it is reported to the Committee for that reason as well.
2. This application forms part of a wider two-phase development proposed by the Stanhope Plc (the applicant) and is for this reason described by the applicant as Phase 2. See **Figure 1** below. Owned land is other land owned by the Council but not forming part of the application.

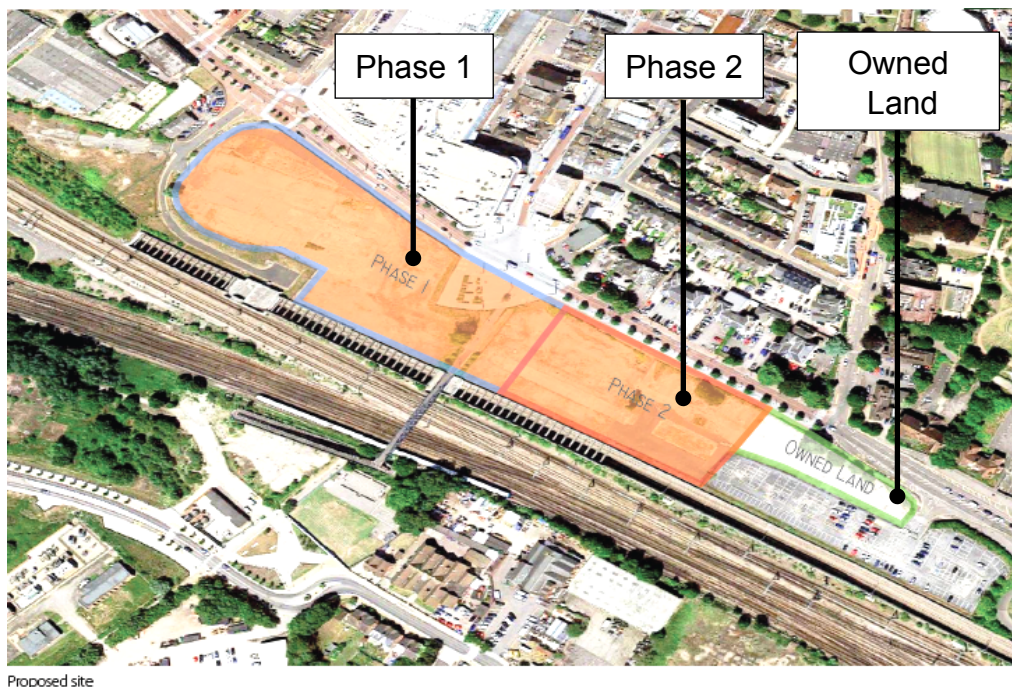


Figure 1 - Phasing Plan

3. Phase 1 was considered and approved on 16 December 2015 by the Planning Committee under planning application reference 15/01195/AS for a Cinema, retail units, hotel and car park. A Plan for reference to see the relationship between the two sites and the approved and proposed developments is attached as **Appendix 1**.
4. Since its original submission in 2015, the applicant has amended the description of the development to include the potential for up to 130 of the 200 dwellings to be for retirement living (Class C2 of the Use Classes). In addition, the proposals now include the potential for a proportion of the open

market dwellings (Class C3 of the Use Classes Order) to be restricted to occupation by persons of 55 years old or older but on an open market sale.

5. The application was amended after 1 Jan 2018 following the submission version of the Ashford Local Plan 2030. Where there is conflict with or a change in policy approach compared to the adopted Development Plan my report gives precedence, where appropriate, to emerging policy given the age of the adopted plan and the fact that some adopted policies are pre NPPF (e.g. housing policies).

Site and Surroundings

6. The application site comprises approximately 0.8 hectares of brown field land, broadly rectangular in shape, located within the Town Centre.
7. The site is bounded by Elwick Road to the north and the HS1 railway line to the south, which is set at a lower level behind a retaining concrete wall. The eastern boundary is bounded by National Rail Car Park. Beyond this is the A2042 (Station Road) and Ashford International Station itself.
8. Directly to the west, and coterminous with the application site, lies the Phase 1 development comprising a cinema, retail units and hotel which are currently under construction. This development was approved under planning reference 15/01195/AS.
9. To the north lie a number of semi-detached office buildings in a three storey Regency style that are set back from Elwick Road with parking to the front, an unoccupied three storey Victorian villa and finally the Ashford College site. The majority of these are within the Town Centre Conservation Area.
10. There is a mix of retail, leisure and residential uses to the north of Elwick Road. Bank Street runs north/south to the east of County Square leading to the High Street.
11. The proposed development would be directly accessed off Elwick Road, both through the new access and pedestrian accesses. Elwick Square forms part of a pedestrian route through to the link bridge which provides a highly trafficked, pedestrian access between the town centre and land to the south beyond the railway lines.
12. The previously developed nature of the site means it contains little green space or natural landscape features.

13. The application site is not affected by any landscape or environmental designations and is located in Flood Zone 1, an area of low flood risk.
14. The site is located just outside, but adjacent to, the Town Centre Conservation Area and, accordingly, it forms part of the Conservation Area's setting. There are no listed buildings within proximity.

Proposal

15. Outline planning permission, with all matters reserved except the means of access from Elwick Road between the two proposed buildings, is sought for 200 units within two separate use classes – Class C2 (residential Institution) and Class C3 (dwellinghouses).
16. The proposed access is shown below in Figure 2. The proposal would require the removal of an existing street tree and lamp column installed as part of the Elwick Road redevelopment to create the proposed access.
17. The amended proposal identifies that no more than 65% of the 200 units (up to 130 units) would be C2 Use within the remainder in C3 Use. The exact ratio would be determined at reserved matters stage. Regardless of the final composition of C2 and C3 uses, the proposal would have a frontage to Elwick Road.

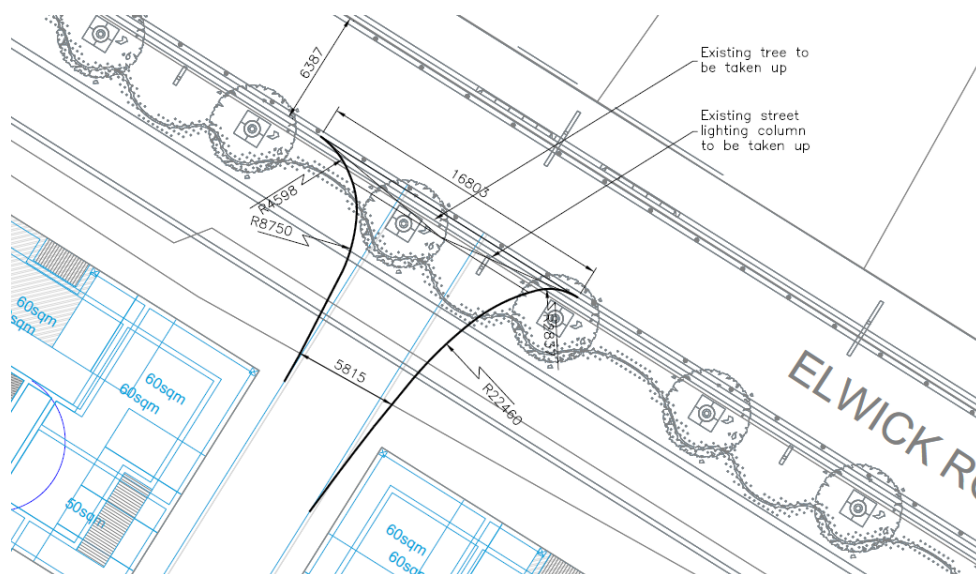


Figure 2 - Proposed Access

18. The indicative layout of the scheme has changed from a single building with a drive-thru portal access as first deposited with the Council to x2 u-shaped buildings in the amended plans. The indicative layout is shown in **Figure 3** below.

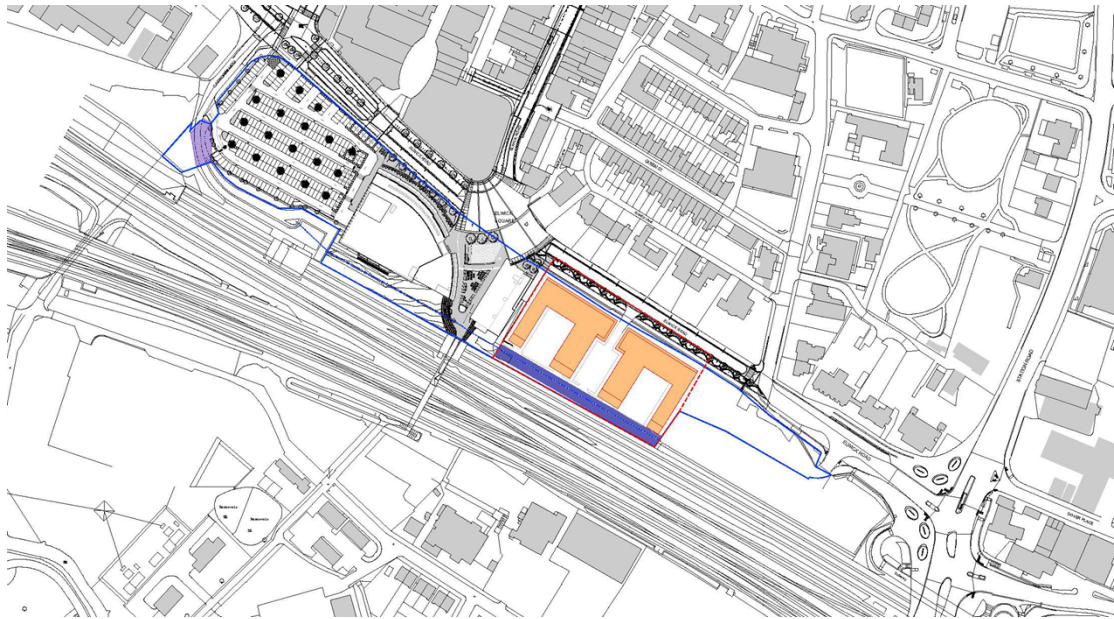


Figure 3 - Indicative site layout

19. The scheme would have a frontage to Elwick Road which, the applicant contends would help create a presence and natural surveillance throughout the day along the southern edge of Elwick Road.

Scale

20. The applicant sets out that the future design parameters to be approved by this application are based on analysis of the surrounding townscape and are considered to be appropriate to the context of Elwick Place. The plans allows for the variation of individual block massing and importantly, given the context of development on the northern side of Elwick Road, a physical setback of buildings from the southern side of the Road..
21. The indicative height of the proposed blocks has been informed by the approved hotel in Phase 1 now under construction as well as other existing built forms surrounding the site.
22. The maximum height that is proposed would allow for development of up to six storeys in height above an undercroft parking facility. That building form would be approximately 22m in height taken from the Elwick Road pavement level. **Figures 4 and 5** below seek to set out the indicative building massing and scale. I would highlight that the upper floors are shown as recessed which is important given the scale of the buildings across the street.

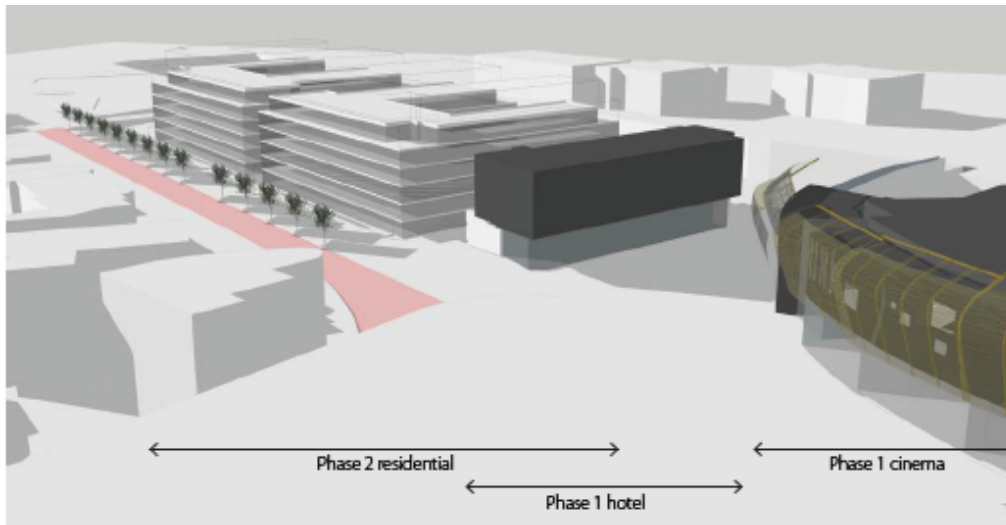


Figure 4 - Phase 2 massing diagram seen from north west



Figure 5 - Phase 2 massing diagram seen from north east

Landscape

23. The applicant states that landscaped areas would be provided in between the wings of accommodation, providing private outdoor space to be used by all residents and allowing for views from all units except those fronting Elwick Road.
24. It is anticipated by the applicant that each unit would have a private ground floor terrace area or a balcony if located on upper storeys.
25. Soft landscaping would be provided to the frontages of the units softening the edge between apartments and the back of the Elwick Road pavement.

Layout

26. The applicant's overall masterplan shows 2 Phase 2. However, the layout of the scheme is not fixed at this stage and the application allows for alternative solutions.
27. The existing shared surface paving, trees and streetlights on Elwick Road have influenced the proposed access into the site. An easement exists to the south of the site, constraining the area of land able to be developed on the site, therefore surface parking and landscaping has been located to the south. The proposed buildings have been placed to maximise street frontage, completing the street scene to the shared surface on Elwick Road.
28. The indicative blocks each have a main spine facing Elwick Road, with two wings coming off from the main block on a north east – south west orientation, providing units with views into landscaped areas between the wings. It is suggested that this approach would enable adequate distances between residential units to be maintained for privacy. It is envisaged that landscaping would provide additional privacy between the blocks.
29. It is anticipated that the units would be designed to any regulations existing at the time of detailed planning, including (if necessary) essential minima taken from the Ashford Borough Council Residential Space and Layout SPD.

Access

Pedestrian access

30. Existing and proposed pedestrian movement has been carefully considered to establish a fully accessible, legible and comfortable public realm. The principal pedestrian movement along Elwick Road remains with a crossing point across the proposed vehicular entrance. It is anticipated that the pedestrian access into the building for residents and guests would be mainly directly from Elwick Road. Where level access cannot be achieved from Elwick Road, level access leading to lifts and stairs would be accessible from the cores leading to the proposed car park areas. It is anticipated that the car park would incorporate dedicated pedestrian walkways and crossing points to establish clearly defined safe routes from the car park to the points within the new development.

Vehicular Access and Car Parking

31. Vehicular access into the site would be provided via a proposed entrance and exit from Elwick Road. The applicant states that car parking for residents and visitor spaces would be provided to policy requirements and would be located at ground and lower ground levels.

Cycle Routes and Cycle Parking

32. It is anticipated that existing shared cycle routes would be integrated into the scheme with cycle parking being located in logical and visible areas around the site. **Figure 6** below sets out the broad access strategy.

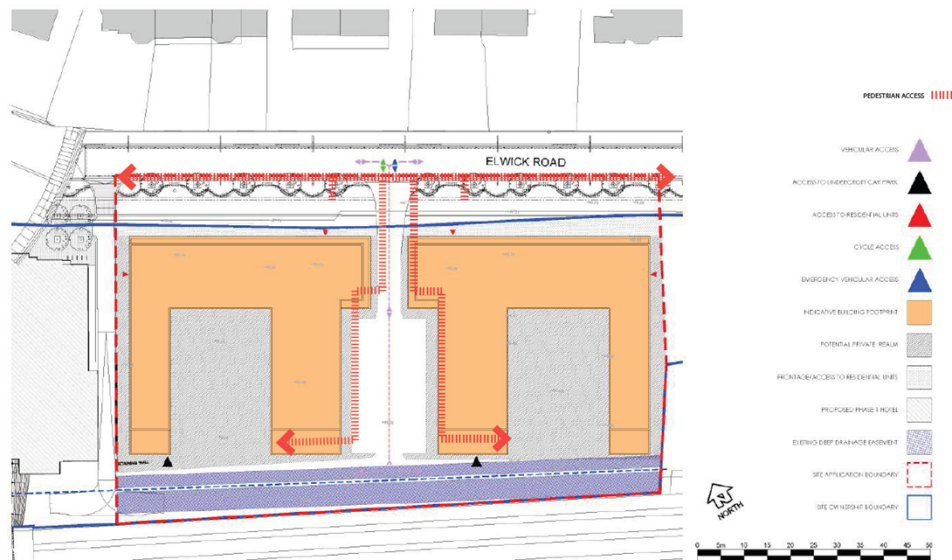


Figure 6 - Access Arrangements

Appearance

33. The applicant states that new buildings would be designed to reflect and recreate the design vernacular of Ashford and the identified parameters have been designed to facilitate this.
34. The proposals would aim to create a private and secure living environment whilst still providing interesting elevations to Elwick Road.

Supporting Documents

Transport Statement (TA)

- TA 1. The application site has excellent access by foot and bicycle through links within the local residential and town centre environments, and beyond. The location benefits from good public transport links by the majority of services serving Bank St and Elwick Road. The site further benefits from being a 4-minute walk from the railway station.
- TA 2. There are several town centre car parks and work by Ashford Borough Council highlights that they are underutilised at present.

- TA 3. Following the improvements to the local highway network at the Elwick Road/Station Road junction, the additional trips on the highway are considered to represent a negligible change and would have a negligible impact in terms of highway capacity or increased risk of accident.

Drainage Management Plan – Waterman (Sept 2015)

- DMP 1. Phase 2 would include a variety of SuDS techniques resulting in an overall improvement to the surface water drainage given the extent of proposed permeable surface as a result of the redevelopment.

Foul Water Drainage

- FD 1. The design of the foul water drainage would be in accordance with BS EN 752 – Drain and Sewer Systems Outside Buildings, BS EN 12056 – Gravity Drainage Systems Inside Buildings and Approved Document H Building Regulations 2002.

Flood Risk Assessment – Waterman (Sept 2015)

- FRA 1. The site is located in Flood Zone 1 as indicated by the Environment Agency Flood Map, i.e. in an area having a low annual probability of flooding from fluvial sources.
- FRA 2. To address flood issues downstream and to protect from worsening conditions, the site would provide SUDS: to comply with the SPD, surface water drainage systems must be designed with sustainability in mind.
- FRA 3. The development would not increase flood risk either on this site or to neighbouring properties and so would comply fully with the Council's SPD.

Geo-Environmental Assessment Waterman (Sept 2015)

- GEA 1. The site is a disused area of cleared brownfield land previously used for cattle market, nursery, agricultural land, warehousing and car parking uses, comprising up to 3m of Made Ground over Hythe Formation (locally absent). Hythe Formation has a thickness of up to 8.5m and is underlain by the Atherfield Clay Formation which had a proven thickness of 15.1m. The Weald Clay underlies the Atherfield Clay Formation, but its depth is not proven.

- GEA 2. The Hythe Formation is classified as a Principal Aquifer Groundwater and chemical analysis indicates that the site is not significantly impacted.
- GEA 3. Ground gas monitoring has indicated that elevated concentrations of methane and carbon dioxide are not present across the site. The site has been categorised as Characteristic Situation 1, which presents a low risk and does not require control under NHBC guidance.
- GEA 4. Given the presence of variable thickness, potential pollutant linkages and composition of the Made Ground in the vicinity of the proposed cinema, the supporting ground condition report suggests that suspended floor slabs would need to be adopted in any detailed building design.
- GEA 5. The contamination report concludes that the site is considered a low risk, assuming the implementation of recommended mitigation.

Air Quality Assessment – Waterman (Sept 2015)

- AQA 1. The main likely effects on local air quality during demolition and construction would relate to dust. However, nuisance caused from dust is only likely to be experienced by those living within 350m of the Site boundary. A range of measures to minimise or prevent dust would be implemented and it is considered that, following mitigation, nuisance dust emissions would be insignificant.
- AQA 2. Any emissions from equipment and machinery operating on the site during demolition and construction would be small in comparison to the emissions from the large volume of vehicles travelling on roads in the surrounding area of the site and so would not significantly affect air quality. It is anticipated that the effect of construction vehicles entering and egressing the site during the construction period would have a temporary, short-term, local and of minor adverse significance, in the context of local background pollutant concentrations and existing local road traffic emissions.
- AQA 3. Any emissions from plant operating on the site would be very small in comparison to the emissions from traffic movements on the roads adjacent to the site. It is therefore considered that the likely effect on local air quality from plant would be insignificant.
- AQA 4. Computer modelling has been carried out to predict the effect of future traffic-related exhaust emissions and the likely changes in local air quality following the completion of the development. The effect on local air quality

has been predicted for a number of existing residential locations surrounding the site and at a location closest to traffic emissions within the development itself.

AQA 5. Following completion of the development, and considering uncertainty in future NO_x and NO₂ reductions, the development is predicted to have an insignificant effect at all the existing receptors that have been considered.

AQA 6. The effect of introducing residential uses to the site is insignificant as the predicted NO₂, PM₁₀ and PM_{2.5} concentrations are below the relevant Air Quality objectives to 2023, even when considering uncertainty in terms of future NO_x and NO₂ reductions.

Arboricultural Survey Report – (Sept 2015)

Arb 1. The survey area includes trees and woody vegetation associated with a former commercial site bounding Elwick Road. The site contains 4 trees which are proposed for removal. None of these trees are exemplar examples (Category A).

Arb 2. The health and quality of trees within the survey area was somewhat variable with some trees showing clear symptoms of disease and / or canopy dieback.

Arb 3. The amenity value of the trees growing on the site is low given the specimens found on the boundary which provide strategic screening. Many of the existing trees are immature specimens which have the potential to increase in value and quality as they mature including the roadside avenue group of trees forming group G10.

Bat Survey – Hone Ecology (Aug 2015)

BS 1. This survey provides a detailed survey to determine the presence or likely absence of bats from within trees identified on land adjacent.

BS 2. The survey identified the potential for roosting bats within 4 trees supporting features such as ivy and splits crack and holes with the potential to support roosting bats.

BS 3. No bats were recorded emerging or entering any trees. No roosting bats are present on site.

- BS 4. As no bats were recorded the potential for the trees in question to support roosting bats is considered to be low. In the unlikely event that a bat is discovered in a tree during works, the recommendation is that works would need to cease on that tree and a licenced bat ecologist would be contacted.

Planning Noise and Vibration Assessment – Waterman (Sept 2015)

- N&V 1. With regards to road traffic noise, an assessment has been completed for the proposed year of opening on a 'with' and 'without the development in place' basis. The assessment results demonstrate that the proposed development would give rise to an increase in noise levels of less than 1dB(A) which is considered to be imperceptible by nearby residents.
- N&V 2. With regards to building services plant, suitable plant noise emission limits have been specified in accordance with Ashford Borough Council's plant noise policy to which all fixed plant would need to be designed (collectively) to achieve. Providing careful attention is paid to plant selection, installation and noise attenuation to achieve the plant noise emission limits then it is suggested there can be high confidence that noise from the operation of plant associated with the proposed development would have negligible impact upon the existing noise climate and amenity of existing nearby sensitive receptors or future occupants of the development.
- N&V 3. Based on assessment findings, it is considered that noise and vibration levels can be satisfactorily controlled, through design, to within recommended acoustic design standards so that a high quality acoustic environment is provided to all future occupants.

Ecology Surveys – Waterman (Sept 2015)

- PEA 1. A Preliminary Ecological Appraisal (PEA), an extended Phase 1 Habitat Survey, and subsequent Bat Survey has been undertaken..
- PEA 2. The PEA comprised an ecological desk study, 'Extended' Phase 1 Habitat Survey, ground based tree inspection for roosting bats and search for common invasive species listed on Schedule 9 of the Wildlife and Countryside Act (WCA) 1981 (as amended).
- PEA 3. The applicant has submitted a Preliminary Ecological Appraisal (PEA), to identify the current nature conservation value of the site and to establish if the proposed development may give rise to any significant ecological effects.

- PEA 4. The site is considered to be limited of ecological value within the site boundary only, with habitats on site offering potential to support foraging and breeding bird species, roosting bats and common species of invertebrates.
- PEA 5. The PEA recommended that further ecological survey for bats should be undertaken and this was subsequently done; the details of which are discussed below.

Statement of Community Engagement – Redwood Consulting

- SCI 1. Given the site's significance as one of five main regeneration locations in Ashford town centre, the Applicant and the project team understood the need to engage widely from the outset.
- SCI 2. Engagement was extensive and encompassed local elected representatives, key stakeholders, statutory and non-statutory Consultees, Ashford Borough and Kent County Councils, the media and the public. It is identified that feedback from those involved suggested the pro-active and comprehensive approach, encompassing both Phases of development, was successful.
- SCI 3. The development proposals were displayed at a public exhibition on Thursday 30 and Friday 31 July 2015 (preceded by a Members' briefing event on Wednesday 29 July) and this was the centrepiece of the engagement process.
- SCI 4. Written feedback received reinforced the rationale behind the proposed development, as well as the scale and scope of the planning applications:
- 95 per cent of respondents support the principle of redeveloping the Elwick Place site
 - 89 per cent of respondents outlined their support for the proposals presented at public exhibition
 - 78 per cent of respondents outlined their support for the proposal to bring a new cinema to Ashford town centre as part of the proposals
 - 93 per cent outlined support for the proposal to create new landscaping and event space at Elwick Place
 - 80 per cent support the residential care element of the proposals on the Phase 2 site.

SCI 5. The proposals received a positive endorsement from the South East Design Review Panel.

Planning History

- 1991 Planning Permission 91/01261/AS was granted for demolition of existing retail warehouse and erection of B1 office building with complementary use such as shopping, entertainment or leisure and incorporating a pedestrian link along the Elwick Road frontage.
- 1987 Planning Permission 87/01665/AS was granted in 1987 for an MFI Furniture Centre on the eastern part of the site.
- 1998 Planning Permission 98/00587/AS relates to the central and western portions of Elwick Place and was for change of use of the cattle market to a commercial car park.
- 2015 Planning permission approved, under planning reference 15/01195/AS, for Phase 1. This included a Cinema, retail units, hotel and car park.

Consultations

35. The application has been subject to two rounds of formal consultation. All responses are available on the Council's website. The following section summarises the up-to-date position of consultees.

Ward Members: One of the Ward Members is a Member of the Committee

KCC Highways and Transportation: No objections to the application subject to:

- Conditions 11 – 18 of the KCC recommendation being attached to any grant of planning permission,
- £5,000 Travel Planning Monitoring and auditing contribution being secured by a s106 agreement,
- The street-light which is required to be removed to create the new access being returned to Kent County Council so that the light can be kept by the County Council in the event that another street-light along Elwick Road needs to be replaced. (Secured via a s278 agreement between the Highways Authority and the applicant)
- Relocation of the existing bus stop shelter on the southern side of Elwick Road (located to the east of the application site) to the grass verge at the back of the footway / cycleway.

- A planning condition being attached to any grant of planning permission securing 1 parking space per dwelling.

[HoDM &SS comment: The bus stop does not relate to the development and is a considerable distance from the site and in my view it would be unreasonable to seek the applicant to undertake this work

The 1:1 parking ratio is currently proposed in the Ashford Local Plan 2030 (submission version) but determining the exact level of parking to be provided at the site should take place at reserved matters stage to ensure that the parking provision is considered in light of the prevailing adopted development plan policy approach at the time and balanced, as might be necessary, with other material considerations including whether there might be a case for a reduced level of parking in accordance with the exceptions set out in Policy TRA3 .]

ABC Project Office (Drainage): Raise no objection to the approach proposed by the applicant subject to conditions relating to Surface Water Drainage and its detailed design.

Attention is drawn to plans submitted for the application. The submitted plans do not match with those submitted for the surface water drainage strategy for Phase 1 (15/01195/CONE (Discharge of Condition)). Further information was requested on that application and it should be ensured that the drainage strategies for both Phases of development on Elwick Road are co-ordinated to ensure the correct drainage design & strategies are progressed as the schemes develop.

[HoDM &SS comment: The detailed surface water proposals would need to be designed at reserved matters stage and would need to work in harmony with the neighbouring site. This can be secured at Reserved Matters stage.]

Southern Water: Raise no objection subject to conditions and informatives.

Southern Gas Networks: Highlight that the presence of a gas main in the proximity to the site and advise that there should no be mechanical excavations taking place above or within the system.

HS1: Raises no objection subject to suggested conditions of the HS1 recommendation being attached to any grant of planning permission.

[HoDM &SS comment: Officers have reviewed the conditions and have attached those conditions which are considered lawful.]

Health and Safety Executive: make the following comments:

‘The site does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.’

Stagecoach: No comments received.

Central Ashford Community Forum: Make the following comments they wish addressed before any development is approved.

“1) Use of land for Housing

Using this land for housing seems a missed opportunity. With the growth of population already experienced in Ashford, it seems strange that a community leisure facility, such as an ice rink, could not be sustained profitably at this large footprint site, although we do understand that at present no such project has been proposed. In the meantime, however, we believe that it would be more prudent to retain the site for additional station car parking as this is being reduced by the development of Dover Place close by. Also, the imminent development of the college, cinema and restaurants adjacent will require significant parking and the current provision may turn out to be inadequate over time, particularly as almost none has been provided for the college.

2) Choice of Housing Type

Our Forum position is generally positive towards housing in the town centre and in particular the use of brownfield sites to do this. However, the proposal does not seem to make sense on this site. The proximity of the site to the international station suggests commuters rather than older residents or social housing tenants that do not need to commute. The concern is that flats on this site will be bought by private landlords rather than commuters (“Down from London”) themselves who would be looking for houses with gardens to take advantage of the lower house prices compared to London. This site would not be suitable for that given its proximity to the railway. Also, given the proposed development of the Powergen Site close by into 622 flats and the Panorama development in the town centre nearly completed of up to 344 flats it would appear that there are sufficient flats being provided in the town already.

We understand that this site is now unlikely to be used for sheltered accommodation. If this suggestion should re-emerge we would like to say that the use of this site for sheltered housing and retirement flats would not be appropriate. It would be right opposite to a college predominantly for younger people and next door to social and leisure facilities which we hope will be busy and noisy, off-putting for frail and elderly residents. It is also not close to any supermarket on foot which we would expect those residents to want to access.

3) The design of the proposed building

If development does go ahead on this site we would like to make the following comments on the proposed design.

We reject the assertion that "The local architecture in Ashford is predominantly post war". (p12). This may be accurate if you take the whole of the Ashford area, particularly South Ashford, but the location of this site near Victoria Park, and opposite the villas on Elwick Road means that it merely sounds like an excuse to put in place generic flats.

This stretch of land is a wonderful opportunity for sympathetic 21st Century urban architecture in a small town, but the architect's sketch just proposes another any town building from the middle of the last century. Good architects are able to draw benefits from the visual tension between sites such as Elwick Square and Hadlow College and the 19th century villas opposite, but none of that is referenced, apart from the height of the proposed hotel. This is an opportunity, on this prestigious site that forms a significant part of Ashford's regeneration, to echo either the villas, or the curves built into Debenhams and the Art Deco echo of the new college building. Not to do so is to yet again to mar Ashford with mediocre design.

The sketch ignores the effect of the new upon the old, and building right up to the road edge at such height as set out in the sketches will be oppressive for pedestrians.

Little thought seems to have been given to the view of the buildings from the railway line and the bridge. Both of these are important in giving a good impression of Ashford to visitors to the town.

While much is made of the fact that building on brownfield sites is sustainable, barring disasters, housing built now stands for centuries. It would seem sensible to make living there responsibly possible: grey water recycling, rain water harvesting and solar panels should be incorporated at the planning stage as it is unlikely that they will be retrofitted.

Essentially, on this prime site, maximum returns for the developers should come second to making a positive statement about Ashford. Bland blocks will not do this.

4) Concern about road access

KCC Highways seem to reflect in their comments our general scepticism about the ability of our road network to deal with increased traffic volumes and parking requirements. We are also keen that there should be adequate parking for residents and also visitors to the phase one development. We reiterate the suggestion made above that this site be retained for overflow parking for several years after all the proposed development is completed until it is clear that parking in the area is adequate."

South Ashford Community Forum: Support the proposals and make the following comments:

1. 'We understand that there will be a change of level from street/pavement to the ground floor of the residential development; care will be needed to ensure an active relationship exists between the street and the development, to improve the walking route from the International Station to the Town Centre.

2. Whilst we appreciate that this is an Outline Application, we are disappointed with the Energy and Sustainability Strategy, which fails to actually address any of the issues and identify solutions that will be utilised.'

Street Scene and Open Spaces Team: Raise no objection subject to contributions to off-site open space provision to address on-site shortfall.

Kent Invicta Chamber of Commerce: Support the application.

Kent County Council Heritage: Raise no objection subject to conditions.

Kent County Council Economic Development: Raise no objection subject to the following contributions being sought:

Per Dwelling		Total	Project
Community Learning	£34.45	£6,890.32	Towards additional IT equipment to mitigate the impact of the additional learners from this development
Youth Service	£26.89	£5,377.13	Towards Ashford North Youth Centre expansion
Library Bookstock	£208.93	£41,786.10	Towards Ashford Gateway reconfiguration
Social Care	£47.06	£9,412.00	Changing Place Facility in new Cinema complex adjoining
2 Wheelchair Adaptable Homes [M4(2)] as part of the on site affordable homes delivery			

Kent County Council Biodiversity): Raise no objection subject to conditions of the recommendation made being attached to any grant of planning permission.

Kent County Council Flood and Water Management: Raise no objection subject to conditions and make the following comments:

“Whilst we acknowledge that the approval being sought is for outline approval only (with all matters other than access being reserved for consideration at a later date), the principles of the site-wide drainage infrastructure should be considered and established from the outset. We are therefore pleased to note that a Flood Risk Assessment/Drainage Strategy has been submitted to outline how the surface water

generated by these proposals can be accommodated and disposed of at a lower rate than from the existing, impermeable site.

At the detailed design stage, the surface water management scheme should be developed to be fully in accordance with the recommendations of the submitted and approved FRA with any attenuation feature to be designed with a half–drain time of less than 24 hours (to ensure that any subsequent storm events can be adequately accommodated).

At the detailed design stage, the applicant should demonstrate that the ongoing maintenance has been fully considered and that the formal agreement of any adopting authority has been obtained.”

[HoDM&SS Manager Comment: KCC F&WM have provided comments in respect of calculating surface water run–off and climate change allowances in line with current standards. I recommend that this advice be drawn to the applicant’s attention via an informative.]

Kent Wildlife Trust: Object for the following reasons:

- a. Green infrastructure appears to have been entirely overlooked, with no mention made in the Design and Access Statement or elsewhere. There is a disappointing lack of aspiration, particularly considering the corridor effect of the railway line to the south of the site and the opportunity that this represents. A well designed green corridor at this southern boundary would help to offer buffering to residents from noise and visual impact. There would be opportunity on a site such as this for green/brown roofs and walls and planting of native species within any later landscaping plans.
- b. No mention in the outline application of recreational space for new residents.
- c. Loss of potential foraging and commuting habitat due the loss of trees and light spill
- d. No proposals for mitigation for breeding and foraging birds

Environmental Agency: Raise no objection subject to conditions.

Natural England: Raise no comments

Network Rail: Raise no objection to the proposed development

Environmental Health Manager: Raises no objection subject to conditions.

Neighbours: 428 neighbours directly consulted; 2 letters of objection received raising the following comments:

- Elwick Road is a slow moving, semi-pedestrianised road and cannot cope with more traffic flow.
- The current road system in this area is already very poor which regular build-up of signification traffic, practically in the festive period, and which will only become worse following the 2 new developments of new houses on Godinton Road.
- The use of these flats in such a prime spot within Ashford. Close to the new college, the new cinema/leisure centre and close to the station, of which it's use for London commuters is becoming greater every passing month. To place retirement flats and social housing in such a spot makes absolutely zero sense. They are not close to any amenities applicable for such housing and being this close to the station would be entirely appealing to trying to lure young professionals out of London.
- Placing housing which is meant for retired and social tenants also in a prime and visible spot in a developing part of Ashford, may also erode some of the visual integrity of a developing Ashford.
- It is great to see the continued development of central Ashford but concerns raised about how this development fits into a wider and cohesive planning framework.

Planning Policy

36. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012, the Chilmington Green AAP 2013, the Wye Neighbourhood Plan 2015–30 and the Pluckley Neighbourhood Plan 2016–30. The Ashford Local Plan to 2030, (Submission Version December 2017) has now been submitted for examination and as such its policies should now be afforded some weight.
37. The relevant policies from the Development Plan relating to this application are as follows:–

Ashford Borough Local Plan 2000

EN32 – Important trees and woodland.

TP6 – Provision of cycle parking.

LE5 – Equipped public Open Space

LE6 – Off site provision of public open space

LE8 – Leisure facilities

LE9 – Maintenance of open spaces

CF21 – School requirements for new housing

Local Development Framework Core Strategy 2008

CS1 – Guiding principles for sustainable development.

CS2 – The Borough Wide Strategy

CS3 – Ashford Town Centre

CS8 – Infrastructure contributions.

CS9 – Design quality.

CS10 – Sustainable design and construction.

CS11 – Biodiversity.

CS15 – Transport.

CS18 – Meeting the community's needs.

CS20 – Sustainable drainage.

CS21 – Water supply and treatment.

Ashford Town Centre Area Action Plan 2010

TC2 – Town Centre Core

Site Policy TC3 – Elwick Place

“The land on the south side of Elwick Road from the Beaver Road bridge to Gasworks Lane is one of the biggest and probably the most important of the development sites in the town centre. This corridor links the transport hub at the stations with the town centre and the County Square shopping centre. It also marks the transition between the established town centre and the major expansion needed to the south to meet the needs of a growing town.

It was because of this strategic importance that the pioneering ‘shared space’ remodelling of the town centre road network was focused here. The new Square at the junction of Elwick Road and Bank Street is a major addition to the public spaces in the town and marks the intersection of Elwick Road with the strong pedestrian movement from the southern part of the town northwards to the town centre. In short, this is a site in a location of strategic

significance and the quality of development here will have a fundamental bearing on the town's future.

Because of the site's size it is likely that development will take place in phases. The initial planning submission must be comprehensive in their approach in that, as a minimum, they include a masterplan for the whole area covered by policy TC3. A hybrid application could be brought forward whereby the detail of an early phase is included alongside an outline submission for the rest of the site. This will need to be in the context of a masterplan for the whole site which shall be agreed with the Council before any permanent planning permission is granted. This will establish, in more detail than the policy below, the precise mix, scale and distribution of uses and the general approach to urban design. The opportunity to link development on this site with the adjoining Godinton Way Industrial Estate site (policy TC8) (14/01305/AS) should be investigated and any masterplan for development on either site will need to demonstrate compatibility with the other.

West of Elwick Square, a predominantly retail-led mix is proposed to complement the County Square development opposite. Other appropriate secondary uses (mainly on upper floors) include residential, offices, hotel and leisure uses, including a cinema.

The County Square development provides a benchmark scale for development south of the road, although careful articulation will be needed to break up the scale of the block and give the vertical emphasis that one would normally expect in a town centre. Service access will be provided to the rear of these properties.

East of Elwick Square, the part of the site fronting the Victorian villas on the northern side of the street is proposed for mainly residential use (with the potential for some office space integrated into a more mixed use) and needs a design treatment that is sympathetic to the scale and pattern of building blocks these villas bring to Elwick Road.

There will be various ways this can be achieved and a contemporary design may well be the most suitable approach providing it is of real quality and complements the character of the adjoining Conservation Area. Building heights on the Elwick Road frontage should not be out of scale with those on the north side of the road but should take account of a careful study of the proportions of street width to building height. Setting back an additional roof storey may be possible with minimal impact and could be an option."

TC1 – Guiding principles

TC23 – Residential Parking Standards in the town centre

TC24 – Cycle parking standards in the town centre

38. The following are also material to the determination of this application:–

Ashford Local Plan to 2030 (Submission Version December 2017)

SP1 – Strategic Objectives

SP2 – The Strategic Approach to housing delivery

SP5 – Ashford Town Centre

SP6 – Promoting High Quality Design

HOU12– Residential Space Standards – Internal

HOU15 – Private External Open Space

EMP6 – Promotion of fibre to the premises

TRA3a – Parking Standards for residential development

TRA6 – Provision for cycling

ENV1 – Biodiversity

ENV6 – Flood Risk

ENV7 – Water efficiency

ENV8 – Water quality, supply and treatment

ENV9 – Sustainable Drainage

ENV14 – Conservation Areas

COM1 – Meeting the community needs

COM2 – Recreation, sport, play and open spaces

Supplementary Planning Guidance/Documents

Sustainable Drainage SPD 2010

Dark Skies SPD 2014

Residential Parking and Design Guidance SPD 2010

Residential Space and Layout SPD 2011

Public Green Spaces & Water Environment SPD 2012

Other Guidance

Informal Design Guidance Notes 1– 4 (2015)

Government Advice

National Planning Policy Framework (NPPF) 2012

39. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. This includes Section 38 (b) of the Planning and Compulsory Purchase Act 2004 and Section 70 (20 of the Town and Country planning Act 1990.
40. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:–
- Para 11 sets out a presumption in favour of sustainable development requiring planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
 - Section 6 requires local planning authorities to deliver a wide choice of high quality homes
 - Para 56 attaches great importance to the importance of the design of the built environment
41. The weight given to the policies of the new Ashford Local Plan 2030 in assessing the proposal is in accordance with the guidance in paragraph 216 of the NPPF relating to the stage of preparation, the extent to which there are any unresolved objections and the degree of consistency to the policies in the NPPF.

National Planning Policy Guidance (NPPG)

42. Determination should be made in accordance with the Development Plan unless material considerations indicate otherwise.

Assessment

43. The main issues for consideration are:
- (a) The principle of the proposals i.e. how the redevelopment of the site fits within the existing local and national planning polices in terms of use and location
 - (b) Impact of the development on the local highway network and whether the proposed access is acceptable
 - (c) Whether the proposals are acceptable in terms of affordable housing and mix of housing
 - (d) The design quality of the scheme and the impact on the visual character of the surrounding area
 - (e) The impact on residential amenity
 - (f) Whether there is sufficient provision made for open space development
 - (g) Other planning issues such as drainage, sustainable design and construction, contamination, ecology
 - (h) Whether planning obligations are necessary
- a) **The principle of the proposals i.e. how the redevelopment of the site fits within the existing local and national planning polices in terms of use and location.**
44. The site is an existing brownfield site located within the Town Centre. The NPPF advocates re-using existing brownfield land for development before green field sites.
45. Phase 2 falls within the area designated as the 'Town Centre Core' within the Ashford Town Centre Area Action Plan (ATCAAP), with Elwick Place being specifically designated for a mixed-use redevelopment in the adopted Development Plan for Ashford . It is envisaged that new development in this area would provide a mix of leisure, tourism and residential uses in order to maintain and enhance the vitality of the town centre, create jobs and make the best use of land. Maintaining and, where possible, enhancing existing pedestrians and cyclist routes are also key aims.

46. Policy TC2 of the Ashford Town Centre Area Action Plan aims to promote an appropriate mix of uses within the town centre in order to bring about vitality and reverse economic decline.
47. The application site is subject to Policy TC3 (ATCAAP). The thrust of TC3 is to provide a range of uses, including residential uses, with an emphasis on enhancing, through new development, an important public space, which will create activity and economic benefits. Policy TC3(B) strongly indicates that residential use (with a likely range of 200/300 homes) to meet the needs of a wide variety of households is appropriate on this part of the overall site.
48. Development Plan policy and Central Government guidance seek to preserve the character of existing town centres and ensure that a wide range of services are provided through the promotion of diverse uses.
49. Development within town centres is also seen as an opportunity to improve the environment and, as such, development in such locations must be considered sustainable and help to reduce the need to travel as far as possible in line with the NPPF.
50. The site is within the town centre with good access to facilities and public transport and therefore complies with general advice in the NPPF that states housing development should be considered in the context of seeking to ensure sustainable development.
51. The proposed active ground floor frontages and addition of further town centre residents would also be likely to help to enhance both the daytime and the night-time town centre economy and the vibrancy and security of Elwick Road, through and enhance active relationship with the street.
52. This application does not include or seek approval for a comprehensive master plan covering the entire Site policy boundary, nor was a masterplan approved prior to the Phase 1 development being approved. However, in my view given the self-contained nature of the application proposals and leisure proposals adjacent nearing completion at the Phase 1 land, I am satisfied that the remainder of the policy allocation could come forward in discrete phases as indeed the policy envisages could be the case. This was the view that the Committee took when approving the Phase 1 development, and once again I am confident that in approving this development, the deliverability of compatible uses within the remaining policy area would not be prejudiced.
53. In light of the above, I consider the principle of the development is acceptable and fits in with development plan policies CS1, CS2, CS3 & TC1 in terms of use and location. I am satisfied that the proposed development would comply overall with the requirements of Development Plan policy and Central

Government Guidance and would represent an appropriate addition to the Town Centre.

54. I consider the principle of the development accords with the aims of Policy TC3 and the policies of the Core Strategy (from which it stems) in terms of use and location. The site is adjacent to the town centre with good access to facilities and public transport and therefore complies with general advice in the NPPF in terms of positive sustainable economic development.
55. Policies SP1, SP2 and SP5 are material consideration and do not currently form part of the development plan and as such are afforded less weight as a material consideration. However, I am satisfied that the proposals would be in accordance with the emerging policies.
56. I therefore have no objection to the principle of the scheme in this location.

b) Impact of the development on the local highway network and whether the proposed access is acceptable

i. Access

57. KCC Highways and Transportation, raise no objection to the proposed access on highway safety grounds. The requested visibility splay condition is sensible and is contained in my Recommendation below.
58. The proposed tree removal and lamp column removal are unfortunate but necessary to facilitate the scheme.
59. I am mindful of the impact of the proposed vehicle junction on the visual amenity of the street. Whilst I appreciate that the junction would need a suitable width to allow larger vehicles to enter and leave the site I am concerned that this could have a detrimental impact. I therefore propose that a planning condition is attached to any permission granted seeking to minimise the width of the access as far as possible involving discussion with Kent Highways and Transportation. Materials that are appropriate to the context would also assist visual integration.

ii. Parking provision

60. The proposals proposed that the aims of parking policies would be able to be met with a 1:1 parking ratio being able to be provided on the site. However, I am concerned that this could potentially be at the cost of future residential amenity of residents and beneficial soft landscaping of the scheme. At present the indicative plans suggest that the parking would be contained

under the U-shaped blocks that at surface level would wrap around the communal spaces (and the soft landscaping thereof).

61. I would recommend that at reserved matters stage a further assessment of the detailed design approach can be considered and a decision made on the merits of the eventual scheme.
62. I am satisfied that the parking provision as set out by policy TC23 of the ATCAAP and TRA3(a) of the Draft Ashford Local Plan 2030 could be achieved.
63. Cycle parking provision as required by policies TC24 and TRA6 can be secured by condition and detailed at reserved matters stage.
64. I am satisfied that the parking provision is acceptable and I have no objection to the proposal in terms of its impact on the surrounding highway network. As a result, I consider that the proposal complies with Policies, CS15, TC23 & TC24. Emerging policy TRA3a is a material consideration. The proposal would comply with TRA3a as the proposals provide 1 parking space per dwelling, and TRA6 can be complied with at reserved matters stage.

iii. Travel Plan

65. Policy CS 15 of the adopted Core Strategy outlines that development proposals must show how all public transport, walking and cycling needs arising from the development will be satisfied. The site is located in a highly sustainable location with good access to non-car based modes of transport such as buses and trains and is very accessible to pedestrians and cyclists.
66. KCC Highways and Transportation have sought a Travel Plan and a monitoring contribution (£5,000) to cover costs associated with monitoring and enforcing the Travel Plan to ensure its success.
67. In my view, any Travel Plan would not be of relevance to residents who have already chosen to live in the town centre close to local facilities and sustainable transport methods.
68. However, the Council is committed to encouraging sustainable transport methods and committed to improving the air quality of the Borough. In light of this, in lieu of seeking a Travel Plan or a contribution to its monitoring, it would be more appropriate to request that the development makes adequate provision for the charging of electric vehicles.
69. In the light of the above, I do not consider there to be a need for a Travel Plan and as a result the need for it to be monitored falls away.

iv. Impact on the surrounding highway network

70. The application has been accompanied by a Transport Assessment, which has assessed existing capacity and committed developments within the Town Centre.
71. Kent Highways Services confirm that the proposed trip generation for the use of the site could be accommodated within the existing road capacity following the junction improvements to the Elwick Road Station Road Junction.
72. I therefore have no objection to the proposals in terms of impact on the surrounding highway network.

v. Off-site Public Realm enhancements

73. Item 1 of Table 1 to this report request that the developer make a contribution towards the public realm enhancements carried out that the Elwick Road/Station Road junction, which were carried out as part of the overall junction capacity upgrades carried out earlier this year.
74. This development has been facilitated by the junction improvements secured under separate planning permissions. Those highway works were designed with the capacity requirements of this development in mind. The works to the Elwick Road/Station Road junction were only necessary to allow this development and others (Commercial Qtr, Brewery, Aldi, Victoria Road Hotel and Powergen redevelopment) to proceed. The junction works introduced further visually harmful infrastructure to the detriment of the visual amenity of the town centre. The public realm improvements will be in the vicinity of the site and would mitigate the harm of the necessary junction upgrade.
75. The junction enhancements, whilst improving capacity, harmed the visual amenity of the street through the provision of further highways infrastructure.
76. The requested £24,000 represents the proportionate impact on the junction to facilitate this scheme.

c) **Whether the proposals are acceptable in terms of affordable housing and mix of housing**

77. Core Strategy Policy CS12 requires that developments within the Ashford growth area of 15 units or more or on sites with a site area in excess of 0.5 hectares should provide no less than 30% of all dwellings as affordable housing.

78. Policy HOU1 of the Ashford Local Plan 2030 is more up to date than CS12 on affordable housing. It states that within the Town Centre flatted schemes are not expected to provide affordable housing as the evidence base underpinning the Ashford Local Plan to 2030 states in the town centre such schemes would not be viable if affordable housing is sought.
79. The proposals involve flatted development. As a result I consider the emerging policy, and the up-to-date viability evidence underpinning it, should be given a significant degree of weight and therefore no affordable housing provision is justified in this case.
80. I am satisfied that the proposals do not need to provide any element of affordable housing.

d) The design quality of the scheme and the impact on the visual character of the surrounding area

81. The application is in outline apart from the access from Elwick Road with scale, layout, landscaping and appearance reserved for future consideration. However, to assist in the assessment of the application, the applicant has supplied development parameters and indicative diagrams which would inform any future reserved matters application.
82. In light of the above, the assessment of the proposals can necessarily only be broad in scope.
83. The adopted development plan polices CS3 and CS9 of the Core Strategy, TC1, TC2 and TC3 of the adopted Ashford Town Centre Area Action Plan and Ashford Local Plan 2030 Submission Version policies SP5 and SP6 emphasise the importance of high quality design that makes a real and significant contribution to improving the character of the town centre. This includes not just the buildings proposed but the spaces around them and links to the wider public realm.
84. The NPPF emphasises, as a core principle, the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is a prominent site within the town centre where there has been significant redevelopment, which is continuing with developments such as Elwick Place Phase 1 located 200m to the west.

i. Scale

85. In relation to the surrounding context, including the hotel and cinema under construction and the buildings opposite on Elwick Road, I consider that the

indicative height of the buildings would sit comfortably within the street scene and would result in an appropriate street proportion/level of enclosure.

86. The applicant confirms that the floor to ceiling heights at ground floor would be greater than on other floors in order to correspond with the commercial uses to the west and the villas to the north. This approach is supported and would help with street character as perceived at street level.

87. The Design and Access statement suggests that the buildings would provide a hierarchy of form, to ensure visual richness and legibility as is required by Policy CS9. As a result, the basic form of the buildings would be able to provide visual interest and support a high quality street scene. I am satisfied that the heights proposed are suitable and entirely in accordance with the regeneration aims for this site. In light of the above I am satisfied that policy CS9(a) is addressed by the proposals.

ii. Layout

88. Elwick Road is characterised by a spacious and green environment. This is achieved through strong street and boundary landscaping and building set back from the road broken up by a series of important but in reality narrow gaps.

89. The gap between the proposed buildings created by the new access street would provide a corridor for views from Elwick to the south of the site. The absence of any buildings on the site at present obviously allows an uninterrupted panorama from the street and buildings on the northern side of Elwick Road. Retention of some view corridors through the site as a consequence of a layout would be a contextually sensitive way of retaining a visual link with Ashford's rural and rail heritage.

90. The layout of the development is largely dictated by the existing roads and footpaths as well as the shapes of the plots themselves. The proposals utilise traditional perimeter style development creating active frontages to streets as well as the ability to create a clear distinction between the public and private realms.

91. Opportunities for breaking down the mass of the building and creating a series of views to the south are not explored further in the application but would be welcomed and should be explored at reserved matters stage.

92. It would be important at reserved matters stage to ensure that the green character and ambiance of the Elwick Road is not harmed or diminished. It would be essential to ensure at detailed design stage that the massing of buildings and the quantum of development is suitably broken down into a

strong series of vertical bays, with frequent direct street access at ground floor level and a strong boundary to the street edge in order to reinforce the definition between public and private realm.

93. The application indicates that the area between the building line and back of pavement would be resolved and levelled or at least visually segregated/disguised from the street. This would either involve infilling to level the area or the provision of a lower ground floor court yard set behind a suitable boundary. Importantly, the applicant has been clear that this intermediate area of land, which is partially owned by the highways authority, would not be left as an exposed embankment.
94. In conclusion, I am satisfied that the development envelope that is proposed by the applicant's parameter plans would provide opportunities to break-up the bulk of the buildings to avoid creating a monolithic appearance, as is required by Policy TC2.

iii. Street safety and vibrancy

95. The indicative proposals include windows and doors onto the Elwick Road along with elevated balconies I am satisfied that this would result in an active street frontage, which would help contribute to a vibrant and active town centre. In addition the proposal would ensure natural surveillance of the street contributing to crime prevention.

iv. Landscaping

96. Landscaping is a reserved matter. I am, however, satisfied that there is sufficient space within the site to mitigate the limited loss of vegetation and enhance the landscaping to the street and within the site.
97. I do have some concerns relating to the detailing (i.e. appearance and means of incorporating/disguising)of the new access onto Elwick Road. Considerable public funds and extensive design work has gone into the redesign of Elwick Road. It is essential that this quality and the pedestrian experience is maintained. I therefore recommend that a planning condition is attached to any permission requiring the eventual design of the access to be detailed, in terms of appearance and not scale, in a similar manner to the Gasworks Lane junction further west. The Gasworks Lane Junction seamlessly integrates the junction within the footpath as seen below.



Figure 7 - Existing Gasworks Lane Junction

98. I have discussed this approach with Kent Highways and Transportation: we are agreed that this is the correct approach.

v. Architectural approach

99. The Design & Access statement indicates that the architectural approach would be overtly contemporary with references to the existing built context, featuring simple forms articulated with brick textures, contemporary proportions and a simple but varied palette of high quality materials.

100. The proposals include subtle variations in the building line and elevational articulation such as setbacks, brick detailing, and materials should help ensure a rich architectural appearance and a high quality design.

Impact on the adjacent Conservation Area

101. The eventual relationship with and therefore impact of the development on the adjacent Conservation Area would need to be assessed fully at reserved matters stage where the Council would be able to consider, scale, layout, landscaping and appearance.

102. The Development Plan envisages development coming forward on this site for the proposed uses and within the broad scale proposed. New buildings on this site are not considered to have an adverse impact on the setting of the

Conservation Area subject to the detailed design considerations above being appropriate.

vi. Conclusion

103. In conclusion, the proposals accord with the objectives of Policy CS1 by providing high quality design of high sustainability standards and would make the best use of previously developed land.
104. The proposed development would be highly beneficial in enabling the Town Centre to grow as envisaged in CS3 and would provide the high quality of design required by policy CS9. It would also enable the Town Centre to grow as envisaged in ATCAAP.
105. The proposals are substantial and would deliver the opportunity of regenerating an area of land, which is currently seen as unattractive and detrimental to townscape. The proposals would result in this part of the town centre changing vastly and rapidly, and local resident concerns are understandable. However, I am satisfied that the design approach advocated within the parameter plans is well considered and should result in development that would make a positive addition to the town centre.
106. In the light of the above, I am satisfied that the scale of the proposal is acceptable and that the scheme would introduce a coherent form of development, maximising the opportunities of this site. Accordingly, the proposal would comply with Policy CS9 and would help contribute to the aims of the ATCAAP. Emerging policy SP6 does not currently form part of the development plan and, as such, is afforded less weight as a material consideration but to all intents and purposes it mirrors Policy CS9 in its promotion of high design quality. .

e) **The impact on residential amenity.**

107. Subject to a planning condition which ensures that the proposed mitigation measures are adhered to, I am satisfied that no significant or unacceptable noise and disturbance to the future occupants of the apartments would arise.

f) **Open Space, sports, play etc. facilities to serve the development**

108. The Council's Public Green Spaces and Water Environment SPD establishes the quantitative, qualitative and accessibility standards of green space and water environment provision to be applied in new developments. In doing so, one of its objectives is also to provide an appropriate balance between the

provision of new open spaces on and off-site, and the enhancement, where appropriate, of existing open spaces and services so the needs and aspirations of local communities are met.

109. There is a significant shortfall between what is proposed and what the Council's adopted SPD requires in terms of sport, informal/natural open space, play provision and allotments. The proposal would provide approximately 0.137ha of private open space, plus balconies, which would not address the shortfall.
110. Given the regeneration aims of this site and the expected quantum of development required in the town centre to support the overall aims of the development plan, I do not consider it appropriate to seek further on-site provision.
111. In the circumstances, the SPD requires that a financial contribution to be made for provision of or improvement to off-site facilities in lieu of what cannot be provided on site. This approach would be acceptable and forms part of my Recommendation.

g) Other planning issues such as drainage, sustainable design and construction, contamination, ecology,

Drainage

- i. Water efficiency and impact on Flooding and Surface Water Drainage
112. The proposals would comply with the requirements of Policy ENV7 of the emerging Ashford Local Plan 2030 (Submission Version) restricting water consumption to no more than 110 litres per person per day. This can be secured through planning condition. Policy ENV7 is in accordance with current government planning policy and advice on sustainable construction which have effectively superseded the previous requirements of the adopted CS10 Core Strategy Policy.
- ii. Surface water
113. Policies CS20 of the adopted Core Strategy, ENV9 of the Ashford Local Plan 2030 (Submission Version) 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.
114. The site lies within flood zone 1 with a very low risk of flooding.

115. The proposed method to restrict surface water runoff includes various SUDS such as bio-retention systems, permeable surfacing, cellular storage and a detention basin.
116. These will store water on site before it is discharged to the public sewer with maximum run-off rates being controlled.
117. KCC Flooding and Drainage raise no objection to the proposals subject to suitable conditions dealing with the final drainage scheme and maintenance.
118. The fine detail of the proposed arrangements can be secured by planning condition as requested by KCC and the Council's Drainage Engineer.
119. I consider the proposals would comply with the objectives of providing sustainable drainage systems under policy CS20 of the Core Strategy and the Sustainable Drainage SPD and policy ENV9 of the Ashford Local Plan 2030 (Submission Version).

Contamination

120. The site investigation report has discovered some contamination on the site following the previous industrial uses. Both the Environment Agency and Environmental Health Manager raise no objection subject to a condition requiring the submission of a remediation scheme to deal with contamination found on the site. I agree with that approach.

Ecology

121. A desk study, extended Phase 1 Habitat Survey, and detailed bat survey have found no rare species and one invasive plant species. No bat evidence or bat potential was found on the site nor in the existing trees. Potential for common reptiles has been identified but no reptiles have been recorded. Recommendations have been given for enhancing biodiversity on site that can be secured through a planning condition which is the approach I take in my Recommendation below
122. I note the concerns of Kent Wildlife Trust and consider that these matters can be considered and resolved at Reserved Matters stage.
123. For instance green infrastructure, i.e a well-designed green corridor along the southern boundary to help to buffering residents from noise and visual impact as well limiting light spill and provide an ecological corridor.

124. At reserved matters stage opportunities for green/brown roofs and walls and planting of native species within any later landscaping plans can be explored/incorporated in the scheme to enhance the biodiversity, such as providing areas for breeding and foraging birds and enhance the amenity value for residents.

Planning Obligations

125. 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

I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

Table 1

Heads of Terms for Section 106 Agreement (N.B. "C3(+55)" means a C3 dwelling which is restricted to occupation by over-55s only under condition 46)

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
1	Public realm contribution for improvements/enhancement the public realm in the vicinity of the Beaver Road/Victoria Way junction and the Elwick Road/Station Road junction.	£24,000	On signing	<p>Necessary in order to meet the demand generated by the development, in the interests of highway safety and in order to create a high quality and attractive street scene pursuant to Core Strategy policies CS1, CS2, CS15 and CS18, Town Centre AAP policy TC1 and guidance in the NPPF</p> <p>Directly related as the development has been facilitated by the junction improvements carried out to date. The works were only necessary to allow this development and 4 others to proceed. The junction works introduced further visually harmful infrastructure to the detriment of the visual amenity of the town centre. The public realm improvements will be in the</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>vicinity of the site and will mitigate the harm of the necessary junction upgrade.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the benefits it will bring to the developers in marketing their building and the future occupiers of the building using the junction, and the scale of this development compared to the others benefiting</p>
2	<p>Strategic Parks</p> <p>Contribution towards upgrading hard and soft landscaping around the fountain, to allow for more use of the space.</p>	<p>£146 per C2, dwelling for capital costs.</p> <p>£146 per C3 dwelling for capital costs.</p> <p>£146 per C3 (+55) dwelling for capital costs.</p>	<p>Before occupation of 75% of the units in each block</p>	<p>Necessary 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 Core Strategy policies CS1, CS2, CS18 and CS18a, Ashford Local Plan 2030 Submission Version policies COM1, COM2 and IMP1 Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
		<p>£47 per C2, dwelling for future maintenance</p> <p>£47 per C3 dwelling for future maintenance</p> <p>£47 per C3 (+55) dwelling for future maintenance</p>		<p>Directly related as occupiers will use strategic parks and the facilities to be provided would be available to them</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of dwellings and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
3	<p><u>Outdoor Sports Pitches</u></p> <p>Contribution towards a new 4 team changing room pavilion at the SWAN Centre</p>	<p>£1589 per C2, dwelling for capital costs.</p>	<p>Before completion of 75% of the units in each block</p>	<p>Necessary as outdoor sports pitches are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18,</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
	£1589 per C3 dwelling for capital costs.		Ashford Local Plan 2030 Submission Version policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF Directly related as occupiers will use sports pitches and the facilities to be provided would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because amount calculated based on the number of dwellings and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.
	£1589 per C3 (+55) dwelling for capital costs.		
	£329 per C2, dwelling for future maintenance		
	£329 per C3 dwelling for future maintenance		
	£329 per C3 (+55) dwelling for future maintenance		

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
		General Building Cost Index from Q3 2012		
4	<p><u>Informal/Natural Green Space</u></p> <p>Improvements to signs and interpretation for Victoria Park.</p>	<p>£434 per C2, dwelling for capital costs.</p> <p>£434 per C3 dwelling for capital costs.</p> <p>£434 per C3 (+55) dwelling for capital costs.</p>	<p>Before completion of 75% of the units in each block</p>	<p>Necessary 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 Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 Submission Version policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
	£325 per C2, dwelling for future maintenance £325 per C3 dwelling for future maintenance £325 per C3 (+55) dwelling for future maintenance General Building Cost Index from Q3 2012		Directly related as occupiers will use informal/natural green space and the space to be provided would be available to them Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
5	<p><u>Children's and Young People's Play Space</u></p> <p>Contribution towards junior and toddler age play at Victoria Park, towards play equipment and features to allow for swinging, sliding, climbing, ball and wheeled play.</p>	<p>£649 per C3 dwelling for capital costs</p> <p>£663 per C3 dwelling for maintenance</p> <p>General Building Cost Index from Q3 2012</p>	<p>Before completion of 75% of the units in each block</p>	<p>Necessary as children's and young people's play space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Ashford Town Centre AAP policy TC27 (if applicable), Ashford Local Plan 2030 Submission Version policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use children's and young people's play space and the play space to be provided would be available to them.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years
6	<p><u>Allotments</u></p> <p>Contribution towards access and security improvements to South and East Ashford allotments: Musgrove, Jemmett, Christchurch, William, Henwood, Orion and Gas House Fields.</p>	<p>£258 per C2, dwelling for capital costs.</p> <p>£258 per C3 dwelling for capital costs.</p> <p>£258 per C3 (+55) dwelling for capital costs.</p> <p>£66 per C2, dwelling for</p>	<p>Before completion of 75% of the units in each block</p>	<p>Necessary as allotments are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 Submission Version policies COM1, COM3 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use allotments and the facilities be provided would be available to them.</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
	future maintenance £66 per C3 dwelling for future maintenance £66 per C3 (+55) dwelling for future maintenance General Building Cost Index from Q3 2012		Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
7	<p><u>Library Bookstock</u></p> <p>Contribution towards the Ashford Gateway reconfiguration</p>	<p>£ 208.93 per dwelling</p> <p>Indexed BCIS General Building Cost Index from October 2016</p>	<p>Before occupation of 50% of the units in each block</p>	<p>Necessary as no spare bookstock available to meet the demand generated and pursuant to Core Strategy policies CS8 and CS18, Ashford Local Plan 2030 submission version policies COM1 and IMP1, Ashford KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as occupiers will use library facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because amount calculated based on the number of dwellings</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
8	<p><u>Adult Social Services</u></p> <p>Contribution towards a changing Place Facility in new Cinema complex adjoining</p>	<p>£ 47.06 per dwelling</p> <p>Indexed BCIS General Building Cost Index from October 2016</p>	<p>Before occupation of 50% of the units in each block</p>	<p>Necessary as additional social services premises required to meet the demand that would be generated pursuant to Core Strategy policy CS18, KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as occupiers will use adult social services facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
9	<p><u>Youth Services</u></p> <p>Contribution towards Ashford North Youth Centre expansion</p>	<p>£ 26.89 per C3 dwelling</p> <p>Indexed BCIS General Building Cost Index from October 2016</p>	<p>Before occupation of 50% of the units in each block</p>	<p>Necessary as no spare youth service space available to meet the demand that would be generated and pursuant to Core Strategy policy CS18, KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as occupiers will use youth service facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
10	<p><u>Community Learning</u></p> <p>Towards additional IT equipment to mitigate the impact of the additional learners from this development</p>	<p>£ 34.45 per dwelling</p> <p>Indexed BCIS General Building Cost Index from October 2016</p>	<p>Before occupation of 50% of the units in each block</p>	<p>Necessary as IT equipment will be necessary and no spare capacity is available to meet the demand that would be generated and pursuant to Core Strategy policy CS18, KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as occupiers will use community learning facilities</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
11	<p><u>Healthcare Provision</u></p> <p>Contribution towards the construction and/or equipping of Primary Care premises project within the Growth Area</p>	£651 per dwelling	Before occupation of 25% 50% of the units in each block	<p>Necessary as additional primary care premises required to meet the demand that would be generated pursuant to Core Strategy policy CS18, saved Local Plan policy CF19 and guidance in the NPPF.</p> <p>Directly related as occupiers will use primary care facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has been calculated based on the estimated number of occupiers.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
12	<p><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	<p>£1000 per annum until development is completed</p>	<p>First payment upon commencement of development and on the anniversary thereof in subsequent years</p>	<p>Necessary in order to ensure the planning obligations are complied with.</p> <p>Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored.</p>
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked (normally from the date of the Committee's resolution) in order to ensure the value is not reduced over time. The costs, expenses and disbursements of the Council's Legal and Planning Departments incurred in connection with the negotiation, preparation and completion of the deed are also payable. The Kent County Council will also require payment of their legal costs.</p>				

Human Rights Issues

126. I have also taken into account the human rights issues relevant to this application. In my view the “Assessment” section above and the Recommendations below represent an appropriate balance between the interests and rights of the applicant (to enjoy his 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

127. In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

Conclusion

128. The proposals involve the development of an existing brown field site in Ashford Town Centre for a residential use, as part of a wider mixed use development. I consider the principle of the development is acceptable and complies with the existing development plan polices CS1, CS2 and CS4 of the Core Strategy, policy TC3 and the Ashford Town Centre Area Action Plan and emerging polices SP1, SP2 and SP5 of the Ashford Local Plan 2030 (submission version) in terms of use and location.
129. I consider that the design quality of scheme is acceptable. The scheme would accord with polices CS3 and CS9 of the Core Strategy, TC1, TC2 and TC3 of the adopted Ashford Town Centre AAP and emerging Ashford Local Plan 2030 (Submission Version) policies SP5 and SP6 which emphasise the importance of high quality design that makes a real and significant contribution to improving the character of the town centre.
130. The proposals would have an acceptable impact on the existing highway network. It would comply with policy CS15 of the adopted Core Strategy. The proposals would provide acceptable levels of car parking/cycling provision in accordance with standards in the adopted Residential Parking and Design Guidance SPD, policies TC22 and TC23 of the adopted Ashford Town Centre Area Action Plan and the emerging TRA3(a) and TRA6 of the Ashford Local Plan 2030 (Submission Version) policies.
131. No affordable housing is proposed which is in accordance with policy HOU1 of the Ashford Local Plan 2030 (Submission Version). For the reasons set out in the report the proposal does not comply with the more out of date policy

CS12 of the adopted Core Strategy which requires the provision for 30% affordable housing and I conclude that HOU1 should be afforded significant weight in the approach to be taken.

132. The issue of contamination has been assessed and remediation can be dealt through suitable conditions.
 133. I consider the proposals would be able to comply with the objectives of providing sustainable drainage systems under policy CS20 of the Core Strategy, the Sustainable drainage SPD and policy ENV9 of the Ashford Local Plan 2030 (Submission Version).
 134. The proposals would comply with the requirements of policy ENV7 of the emerging Ashford Local Plan 2030 Submission Version restricting water consumption. For the reasons given in the report more weight should be given to this emerging policy than policy CS10 of the adopted core strategy which is not in line with current government planning advice.
 135. I consider there are no ecological issues to object to the scheme.
 136. The proposals would not result in increased likelihood of localised or downstream flooding.
 137. In accordance with the NPPG a number of planning conditions detailed in the report above are required to ensure that the development fully complies with planning policy. These have been subject to discussions with the applicant.
 138. Subject to the satisfactory conclusion of a s.106 agreement, my Recommendation is that planning permission should be granted subject to the planning conditions set out further below.
 139. I therefore consider that overall, the development is in accordance with the Development Plan as a whole and the emerging policies in Draft Local Plan and the NPPF and therefore amounts to sustainable development. As a consequence, there is a presumption in favour of the development and therefore I recommend that planning permission be granted.
- (A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations as detailed in Table 1, in terms agreeable to the Head of Development Management and Strategic Sites, or the Development Control Managers in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Head of Development Management and Strategic Sites, or the Development Control Managers to make or approve minor changes to the planning obligations and planning**

conditions (for the avoidance of doubt including adding additional planning conditions/obligations or deleting conditions/obligations) as they see fit.

(B) Permit

Subject to the following conditions and notes:

Standard Time and Compliance

1. Approval of the details of access (other than the means of access from Elwick Road hereby approved), layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission. The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

4. The development shall be made available for inspection, at a reasonable time, by the local planning authority to ascertain whether a breach of planning control may have occurred on the site (e.g. as a result of departure from the plans hereby approved and/or the terms of this permission).

Reason: In the interests of ensuring the proper planning of the locality and the protection of amenity and the environment, securing high-quality

development through adherence to the terms of planning approvals, and ensuring community confidence in the planning system.

Materials and Detailing

5. All applications for the approval of Reserved Matters (appearance) pursuant to condition 01 shall include sufficient details of materials including samples of bricks, tiles and cladding materials to be used externally to allow proper consideration of the external appearance of the development.

Reason: In the interests of visual amenity

6. Prior to the commencement of the development hereby approved details of materials including source/manufactures and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the development shall be carried out only using the approved external materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity

7. All applications for the approval of Reserved Matters (external appearance) pursuant to condition 01 shall include the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-
 - full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),
 - 1:20 horizontal and vertical cross sections through typical sections of each of the facades sufficient to show the relationship between the façade and those elements of detail to be embedded within the façade as well projecting from it (such as the extent of recessing of glazing and doors in openings created in the façade, the consequential treatment of window reveals, the details of cills and the extent of projecting elements from the façade),
 - 1:100 elevation detailing the locations of all expansion joints in facades.
 - details of any plant or machinery proposed on the roof and associated screens,
 - details of any satellite dishes or antenna,

- details of rainwater goods, eaves, fascia and entrance canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials),
- details of vents, louvres, extractor vents, external pipes, meters etc.
- details of screens and windbreaks,
- 1:50 scale details of the parapet capping,
- details of external entrance steps, handrails and balustrades

Reason: Further details are required to ensure that the external appearance and fine detailing are of an appropriate high quality.

8. No vents or flues shall be located on any façade of the buildings hereby approved other than in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area.

9. All applications for the approval of Reserved Matters (Layout and External Appearance) pursuant to condition 01 shall include details of the proposed external storage areas including location and type of enclosure thereafter the storage area shall be carried out in accordance with the approved details prior to first occupation and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the visual amenities of the locality.

10. Prior to the commencement of the development details of external lighting scheme shall be submitted to and approved by the Local Planning Authority in writing. The approved scheme shall thereafter be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written approval to any proposed variation.

Reason: To protect the appearance of the area/the environment and wildlife/local residents from light pollution.

Highways

11. Prior to the commencement of any development hereby approved precise details of the proposed access into the site shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented in accordance with the approved details, unless otherwise agreed in writing. The details shall specify paving, construction and

detailing to match the appearance of the existing vehicle crossover into Gasworks Lane.

Reason: In the interests of ensuring a consistent, cohesive and high quality street and public realm which prioritises pedestrians and in order to off-set the loss of the existing street tree and lamp column.

12. The lamp column to be removed to facilitate the access into the site shall be removed and returned to Kent County Council Highways and Transportation.

Reason: In the interests of the visual amenity of the site allowing the lamp to replace existing lamp posts in Elwick Road should they become damaged.

13. Prior to the commencement of the development hereby approved details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) on-site vehicle movements and parking
- (g) safeguarding of buried services
- (h) temporary drainage measures;
- (i) location and height of spoil stockpiles
- (j) storage of combustible/hazardous materials
- (k) position and operation of cranes
- (l) site access
- (m) on-site vehicle routes and movements
- (n) types of vehicles
- (o) number and frequency of such movements
- (p) vehicle containment to be provided to protect HighSpeed1 against the risk of vehicle incursion.

Thereafter the approved details shall be implemented and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of high way safety.

14. Prior to the commencement of any development details of measures to prevent the discharge of surface water from the new access onto the public highway shall be submitted to and approved by the Local Planning Authority

in writing. Thereafter the approved details shall be implemented and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of high way safety.

15. The approved vehicle parking spaces to be submitted pursuant to condition 01 shall be provided prior to the first occupation of the development hereby approved. Thereafter the spaces shall be retained available for use and access thereto shall not be precluded unless otherwise agreed in writing by the local planning Authority.

Reason: In the interests of high way safety.

16. All applications for the approval of Reserved Matters (Layout and Appearance) pursuant to condition 01 shall include details of the bicycle storage facilities showing a covered and secure space. The approved bicycle storage shall be completed prior to the first occupation of the development and shall thereafter be retained.

Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety. P006

17. The gradient of the access to be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.

Reason: In the interests of high way safety.

18. Prior to the first occupation of the development hereby approved the visibility splays shown on plans 1411-06 MP08 shall be provided with no obstructions over 0.6 metres above carriageway level within the splays thereafter the visibility splays shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of high way safety.

19. Before the first occupation of the development hereby approved the following works between the development and the adopted highway shall be completed as follows:

A. Footways and/or footpaths shall be completed to the wearing course;

B. Carriageways completed to the wearing course, including the provision of any turning facility together with related:

1. highway drainage, including off-site works,
2. street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety.

High Speed One

20. All applications for the approval of Reserved Matters (Layout, appearance, scale and Landscaping, pursuant to condition 01 shall include written evidence to the LPA that a formal process of approvals between the applicant and HS1 has been entered into and commenced. The approvals process shall accord with the processes set out in the Network Rail (High Speed) Outside Parties Development Handbook Document Reference C/05/OP/32/3002.

Reason: The planning application does not contain the detail needed to identify potential effects upon the integrity, safety, security, operation, maintenance and liabilities of HS1 and HS1 Property.

Biodiversity and Ecology

21. All applications for the approval of Reserved Matters (Layout, Appearance and Landscaping) pursuant to condition 01 shall specify how the ecological mitigation detailed within paragraphs 5.6, 5.9, 5.11, 5.14 and 5.15 (Preliminary Ecological Appraisal, February 2018, Waterman) for roosting bats and breeding birds have been incorporated into development. Thereafter the approved details shall be implemented in accordance with the approved details.

Reason: In the interests of protecting and enhancing the biodiversity of the site.

Surface Water and Drainage

22. All applications for the approval of Reserved Matters (Layout) pursuant to condition 01 shall include a detailed sustainable surface water drainage scheme for the site. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of, alongside meeting the requirements of Ashford Borough Council SPD and not increasing flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately

managed to ensure there is no pollution risk to receiving waters. Thereafter the approved scheme shall be implemented and maintained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

23. No building hereby permitted in any phase shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components
- An as-built general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- Details of who will undertake inspections and maintenance activities, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime

The drainage scheme as approved shall subsequently be maintained in accordance with these details.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

24. Prior to the commencement of any development hereby approved details of the proposed means of foul and surface water sewerage disposal shall be submitted to and approved by the Local Planning Authority in writing in consultation with Southern Water and shall be installed in accordance with the approved details before the development is occupied.

Reason: In the interests of providing sewerage disposal for the development

Contamination

25. Prior to the commencement of the development hereby approved a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority in writing:
- a. Based on the results of the Waterman Geo-Environmental Assessment report site investigation and the detailed risk assessment, an options appraisal and remediation strategy giving full details of the remediation measures required, including the design has incorporated into of the development to manage potential pollutant linkages and how they are to be undertaken.
 - b. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Thereafter the approved scheme shall be implemented as approved unless otherwise agreed in writing by the local planning authority.

Reason: To prevent pollution of controlled waters and comply with the National Planning Policy Framework.

26. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of controlled waters and comply with the NPPF.

27. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To prevent pollution of controlled waters and comply with the NPPF.

28. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent pollution of controlled waters and comply with the NPPF.

29. Prior to the commencement of the development hereby approved details of foundation design and evidence demonstrating that penetrative methods would not result an unacceptable risk to groundwater shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the development shall be carried out in accordance with the approved details.

Reason: Piling using penetrative methods can result in risks to potable supplies from, for example, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

30. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

Environmental Health

31. All applications for the approval of Reserved Matters pursuant to condition 01 shall include a scheme for protecting the dwellings hereby approved from noise from road, rail, plant. The approved protection measures shall thereafter be completed before the approved dwellings / development are occupied, and thereafter shall be retained as effective protection.

Reason: In order to protect the occupiers of the dwellings from undue disturbance by noise.

32. Prior to the commencement of the development hereby approved details of a dust management plan for the construction phase shall be submitted to an approved in writing by the Local Planning Authority in writing. Thereafter, the measures set out in the dust management plan shall be implemented in full for the subsequent full duration of construction works unless any variation has been agreed in writing by the Local Planning Authority.

Reason: In order to ensure that appropriate measures are put in place during construction to mitigate the impact of dust arising from construction works on local air quality.

Protection of Gas Main

33. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. NEEDS A REASON

Archaeology

34. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has previously been submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved.

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

35. Within 3 months of the completion of the archaeological works as approved in condition 5 above a report containing details of the final archaeological recording work and the archaeological work report from the appointed archaeological contractor shall be submitted to and approved by the Local Planning Authority in writing.

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

Sustainable development

36. Prior to the commencement of the development hereby approved the following details shall be submitted to and approved in writing by the Local Planning Authority;—

- (a) measures to help facilitate more sustainable forms of movement for non–town centre journeys, including the provision of a car club facility, and
- (b) the location and number of electric vehicle charging points to be made available for the use of residents/any car club facility serving residents.

Thereafter, the approved details shall be implemented in accordance with the approved details and retained available for use unless otherwise agreed in writing by the Local Planning Authority.

Reason: To help provide enhanced movement choice for residents for occasional non–local journeys and to help reduce the need for car ownership by scheme residents. To help reduce pollution by encouraging the use of electric vehicles through incorporating on–site measures enabling vehicle recharging

37. No dwelling shall be occupied, until it has been constructed and fitted out to ensure that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day, as measured in accordance with a methodology approved by the Secretary of State, and a copy of the Notice required by the Building Regulations 2010 (as amended) confirming this, shall be submitted to the Local Planning Authority.

Reason: In order to set a higher limit on the consumption of water by occupiers as allowed by regulation 36 of the Building Regulations 2010 and increase the sustainability of the development and minimise the use of natural resources pursuant to Core Strategy policies CS1 and CS9 and guidance in the NPPF.

Tree removal

38. All vegetation removal shall be undertaken outside the bird breeding season (i.e. September to February inclusive), wherever possible. If it is necessary to undertake clearance during the bird breeding season an ecologist should inspect any vegetation to be removed within 24 hours prior to the clearance. If an occupied nest is detected, a buffer zone (typically 5m) should be created around the nest, and clearance of this area delayed until the young have fledged.

Reason: To protect breeding birds and their chicks ensure that protected and important species are adequately provided for as part of the proposed development mitigation and in the interests of biodiversity and habitat protection and enhancement.

39. Removal of trees T5, T6, T7 & T8, as identified in the Arboricultural Survey Report (Waterman, July 2015), shall be carried out using soft felling techniques. Should any bats be discovered during the soft-felling of trees,

works should stop immediately and an ecologist should inform the Local Planning Authority and submit in writing a mitigation strategy to be approved by the Local Planning Authority in writing. All works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that protected and important species are adequately provided for as part of the proposed development mitigation and in the interests of biodiversity and habitat protection and enhancement.

Construction management

40. Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approval in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003).unless previously agreed in writing by the Local Planning Authority.

The code shall include:

- An indicative programme for carrying out the works
- Measures to minimise the production of dust and vapours on the site(s)
- Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)
- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)
- Design and provision of site hoardings
- Management of traffic visiting the site(s) including temporary parking or holding areas including parking for site personnel as well as details of loading and turning areas for construction traffic
- Provision of off road parking for all site operatives
- Measures to prevent the transfer of mud and extraneous material onto the public highway
- Measures to manage the production of waste and to maximise the re-use of materials
- Measures to minimise the potential for pollution of groundwater and surface water including temporary drainage measures;
- The location and design of site office(s) and storage compounds
- The location of temporary vehicle access points to the site(s) during the construction works
- The arrangements for public consultation and liaison during the construction works
- details showing the location of the proposed site compound and lorry routing to and from the M20
- Routing of construction and delivery vehicles to / from site

- Parking and turning areas for construction and delivery vehicles and site personnel
- Timing of deliveries
- Temporary traffic management / signage
- Safeguarding of buried services
- Location and height of spoil stockpiles
- Storage of combustible/hazardous materials
- Position and operation of cranes
- Onsite vehicle routes and movements
- Types of vehicles accessing the site and number and frequency of such movements
- Vehicle containment to be provided to protect HighSpeed1 against the risk of vehicle incursion.

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

41. No construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy CS1 of the Local Development Framework Core Strategy.

Landscaping

42. All applications for the approval of Reserved Matters (Landscaping) pursuant to condition 01 shall include a hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); details of the car parking wall capping and cleaning. The approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which die within a period of five years from the completion of the development, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In order to protect and enhance

43. Prior to the commencement of any development hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules minimum period of

5 years for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved unless previously agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure the new landscaped areas are properly maintained in the interest of the amenity of the area.

44. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

Restrictions

45. Without the prior written consent of the Local Planning Authority:
- Notwithstanding the provisions of Parts 2 a - f, 14 a – d , 16 a - c, of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no development permitted by those parts shall be carried out
 - No fixtures shall be attached to the exterior of the building
 - No structures shall be placed or installed on the roof of the building

Reason: In the interests of protecting the character, appearance and visual amenity of the important entrance to Ashford.

46. All applications for the approval of Reserved Matters (Layout and External appearance) pursuant to condition 01 shall specify the exact mix and proportion of units in Use Classes C2, C3 and C3 (restricted to occupation by 55 year olds and over) to be provided within the development and shall identify on floor plans each unit and its intended use within one of these three categories. Thereafter the development shall be carried out and occupied only in accordance with the approved details and shall be so maintained in perpetuity with no changes of use without the prior written approval of the Local Planning Authority notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) or the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that the contributions towards infrastructure required by units in each Use Class are appropriately secured and to ensure that the vitality and vibrancy of the Town Centre are protected.

Fibre to the Premises

47. Prior to the commencement of the development hereby approved plans and particulars for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of the building unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP).

Reason: To ensure that the new development in Ashford is provided with high quality broadband services enhancing Ashford as an attractive location in accordance with Policy EMP6 of the Ashford Local Plan 2030.

Note to Applicant

1. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 which affects the way in which the property may be used.
2. The applicants attention is drawn to the advice of the Environment Agency comments dated 29 October 2015
3. The Developer shall enter into discussions with HS1 and their Engineer, Network Rail (High Speed), as soon as practicable to assist in identifying the likely effect of the development on HighSpeed1 or HS1 Property.

Contact:

HS1 Ltd

5th Floor, Kings Place, 90 York Way, London, N1 9AG
safeguarding@highspeed1.co.uk

4. Working with the applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,

- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

5. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council – Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.
6. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
7. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>
8. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC

Highways and Transportation to progress this aspect of the works prior to commencement on site.

9. The developer is expected to enter into a PPA with HS1. This is a legal agreement between HS1 and the developer covering safeguards, processes, responsibilities and cost recovery. The nature and scale of the proposed development is such that detailed discussions, agreements and indemnities are required in respect of the design, construction and future maintenance of the development in order to protect HighSpeed1.
10. The developer is reminded of his obligation to ensure appropriate mitigations are adopted to protect the development from noise from HighSpeed1. The developer is responsible for ensuring that the development meets statutory requirements.
11. The applicant is reminded that a 5m wide maintenance strip exists alongside the HighSpeed1 fence. No development or planting should take place within this strip. Access to this strip is required across the site. The maintenance strip has been specifically provided to allow for safe and adequate maintenance of HighSpeed1 and is allowed for in the sale/transfer of land agreement.
12. HS1 may require the applicant to pay the costs incurred by HS1 and Network Rail (High Speed) in reviewing and approving the development. Costs to be incurred from a development reside with the developer.
13. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>
14. Initial investigations indicate that there is insufficient information currently available to confirm if surface water sewer capacity is available to serve the proposed development. Further investigation of the downstream sewerage network is required to confirm the downstream sewerage details to assess capacity.
15. Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
 - Specify a timetable for implementation
 - Provide a management and maintenance plan for the lifetime of the development.
16. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
 17. It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order
 - a Adequate soakaway or infiltration system
 - b Water course
 - c Where neither of the above is practicable sewer
 18. Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.
 19. Submitted drainage strategy indicates use of perforated pipes for surface water disposal which would not be acceptable to Southern Water. The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.
 20. This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.
 21. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.
 22. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
 23. You should, where required confirm the position using hand dug trial holes.

24. A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation. Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 15/01282/AS.

Contact Officer: Llywelyn Lloyd

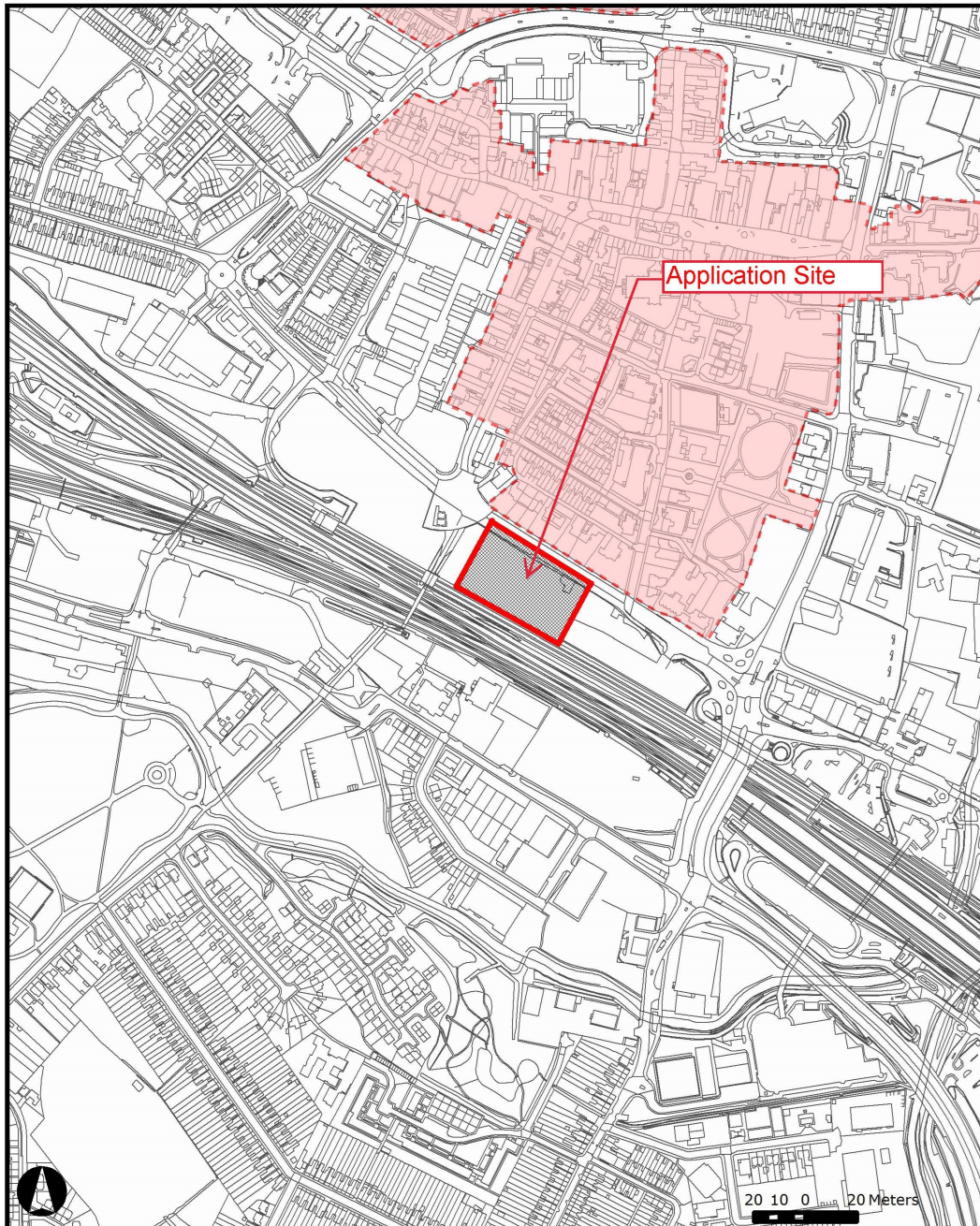
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Email: Llywelyn.Lloyd@ashford.gov.uk

Annex 1



Planning Committee Site Plan 15/01282/AS



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