

Application Number	PA/2022/2774	
Location	Oakleigh House, Watercress Lane, Ashford, Kent	
Parish Council	-	
Ward	Beaver (Ashford)	
Application Description	Redevelopment of site to provide 54 apartments for Independent Living for Older People and 5 apartments for Adults with Learning Disabilities, with associated communal facilities, landscaping and parking.	
Applicant	Ashford Borough Council	
Agent	PRP, Ferry Works, Summer Road, Thames Ditton, KT7 0QJ	
Site Area	0.81ha	
(a) 97 ‘-’	(b) -	(c) KCCH&T ‘X’, KCC PROW ‘X’, KCC EDEV ‘X’, EH ‘X’, POL ‘X’, KFRS ‘X’, KCC LLFA ‘X’, SW ‘X’. NE ‘-’, CACF ‘-’

Introduction

1. This application is reported to the Planning Committee because the Council is the applicant and under the Council’s scheme of delegation it falls to be determined by the Planning Committee.

Site and Surroundings

2. The application site is located in the Beaver Green area of South Ashford and comprises two parcels of irregularly shaped land located to the east and west of Watercress Lane as shown in **Figure 1** below. The larger parcel is bound by Beaver Lane to the west and Cross Stile and Watercress Lane to south and east. A two-storey sheltered housing block known as Oakleigh House to the north and a three-storey general needs housing block known as the Star block to the south have now been demolished and the site is enclosed by security hoardings. The remainder of this parcel comprises maintained green space.



Figure 1: Site location plan (note buildings now demolished)

3. The smaller parcel of land is located to the east of Watercress Lane and comprises an undeveloped maintained green space.
4. Existing vehicular access to the former Oakleigh House and off-street parking is provided via Watercress Lane, which is a no-through road. There is a public footpath running through the centre of the western parcel of land and around the boundary of the eastern parcel where it provides direct pedestrian access to the dwellings facing the site.
5. The area is suburban in character with buildings in the immediate vicinity predominantly 1960 - 1980s single, 2 and 3-storey dwellings organised in terraces and courts. There are a number of planned and incidental open green spaces of varying sizes which are a strong feature of the area. The majority of buildings are set back from the road with brick and tile hung facades and pitched roofs.
6. There are no conservation areas or listed buildings within proximity. Much of the undeveloped parts of the site comprise open space in the form of maintained grass. There are several unprotected trees located around the boundaries of the site. The site is located in Flood Zone 1, an area of low flood risk.

Proposal

7. Planning permission is sought for the erection of buildings to provide independent accommodation for older people and accommodation for adults with learning disabilities on the western parcel of land. It is proposed to provide 24 off-street parking spaces on the adjacent site to the east. As shown in **Figure 2** below, the existing road layouts would be retained.



Figure 2: Proposed layout

8. The independent accommodation for older people would comprise 54 flats with communal facilities, including a lounge, a hair and therapy suite, an office, meeting room, mobility scooter parking, office and foyer all within the main three-storey building as shown in **Figure 3** below.



Figure 3: Proposed communal areas

9. The accommodation for adults with learning disabilities would comprise 3 apartments within a two-storey building and two wheelchair accessible apartments within a single storey building adjacent to the north boundary.
10. The buildings would be arranged around open courtyards with the principal entrances located near to the junction of Watercress Lane, Beaver Lane and Cross Stile and from Beaver Lane.
11. As illustrated in **Figure 4** below, the design of the buildings would include gable features, with large windows and inset balconies. The materials would include buff/beige coloured multi-brick with areas of textured brick and clay roof tiles.



Figure 4: Elevation bay study

12. A total of 24 off-street parking spaces are proposed around the development and a further 22 off-street parking spaces are proposed to be located around the periphery of the eastern parcel of open space and accessed from Watercress Lane, Beaver Lane and Cross Stile as shown in **Figure 2** above. These would be unallocated and provided for the use of the development and the surrounding dwellings. The development would incorporate areas of private amenity space and communal landscaping, including to the boundaries.

Planning History

13. 21/01250/AS: Redevelopment of site to provide 54 apartments for Independent Living for Older People and 13 apartments for Adults with Learning Disabilities, with associated communal facilities, landscaping and parking. REFUSED 23/09/2022

Reason for refusal 1: *The proposed development would be contrary to Policies SP1, SP6, HOU3(a, c & h), TRA3(a), ENV1, COM1, COM2, IMP1 of the Ashford Local Plan 2030, and would therefore give rise to harmful development contrary to issues of acknowledged planning importance, for the following reasons;-*

(a) The proposed accommodation for adults with learning disabilities would result in the loss of an existing neighbourhood open space that contributes to a positive sense of place. The loss would be harmful to the health and well-being of the local community and harmful to the character of the surrounding area. The applicant's proposals seeking to mitigate for that loss would not result in equivalent or better provision of open space in terms of quality and quantity in a suitable location.

(b) The development would fail to provide sufficient car parking to meet the reasonable needs of occupiers and their visitors which would result in increased demand for on-street car parking in the surrounding area that would interfere with the free flow of traffic, prejudice the safety of road users and, through the reduction of on-street space for parking by those reliant on the availability of that resource, would adversely affect the amenity of existing residents.

Reason for refusal 2: *The proposed development would be contrary to COM1, COM2, IMP1 of the Ashford Local Plan 2030, and would therefore give rise to harmful development contrary to issues of acknowledged planning importance, for the following reasons;-*

(a) In the absence of any agreed mitigation, the Local Planning Authority is unable to conclude that the proposed development would not adversely affect the integrity of the Stodmarsh Designated Nature Conservation Habitat as required by the Conservation of Habitats and Species Regulations (2017 as

amended). The proposed development would therefore be harmful to matters of national and international ecological importance.

(b) The necessary s.106 planning obligations have not been entered into in respect of (i) art and creative industries, (ii) indoor sports provision, (iii) informal natural green space, (iv) outdoor sports provision, (v) strategic parks, (vi) voluntary sector, (vii) adult social care, (viii) community learning, (ix) libraries, (x) health care and (xi) accessible and adaptable dwellings.

Therefore, the proposed development is unacceptable by virtue of failing to acceptably mitigate the increased demand for services and facilities that it would generate and failing to meet the reasonable costs for the monitoring of the performance of the necessary planning obligations.

Consultations

14. The application has been subject to formal statutory and non-statutory consultation comprising the display of a site notice, a press notice and notification letters sent to 97 occupiers of buildings in the vicinity of the application site. The statutory consultation period ended on 23.12.2022.

Ward Members: One response of no objection.

ABC Cultural Services: no objection subject to securing financial contributions towards art and creative industries, indoor and outdoor sports provision, strategic parks, voluntary sector and informal natural green space plus investment in surrounding public open spaces to compensate for the loss of public open space as a consequence of this development. Landscape improvements to be subject to public engagement and consultation. *(Officer comment: relevant contributions to be secured through planning obligations. See Table 1 below. Relevant condition secured at the end of the report.)*

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

ABC Environmental Services: no objection to waste storage provision.

ABC Housing Services: support.

Kent County Council Economic Development: no objection subject to securing financial contributions towards Adult Social Care, Community Learning and Libraries and a condition to secure high speed broadband infrastructure. *(Officer comment: relevant contributions to be secured through planning obligations. See Table 1 below. Relevant condition secured at the end of the report.)*

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

Kent County Council Public Rights of Way: no objection.

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

Kent Fire and Rescue Service: no objection.

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

NHS: no objection.

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

Natural England: further information required to determine impacts on designated sites and to enable the Local Planning Authority to undertake a Habitats Regulations Assessment prior to the grant of planning permission.

Kent Ramblers: no objection.

Ashford Access Group: no response.

Central Ashford Community Forum: no response.

Neighbours – no responses received.

Planning Policy

15. The Development Plan for Ashford Borough comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), the Boughton Aluph & Eastwell

Parishes Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022), the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).

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

Vision for Ashford Borough
SP1 Strategic objectives
SP2 The strategic approach to housing development
SP6 Promoting high quality design
HOU1 Affordable Housing
HOU6 Self and Custom Built Development
HOU12 Residential space standard internal
HOU14 Accessibility standards
HOU15 Private External Open Space
HOU18 Providing a range and mix of dwelling types and sizes
EMP6 Fibre to the Premises
TRA3a Parking standards for residential development
TRA6 Provision for cycling
TRA7 The road network and development
TRA8 Travel Plans, Assessment and Statements
ENV1 Biodiversity
ENV4 Light Pollution and Promoting Dark Skies
ENV6 Flood Risk
ENV7 Water efficiency
ENV8 Water quality, supply and treatment
ENV9 Sustainable drainage
ENV11 Sustainable Design and Construction
ENV12 Air Quality
ENV15 Archaeology
COM1 Meeting community needs
COM2 Recreation, Sport, Play and Open Spaces
COM 3 & 4 Allotments and Cemeteries
IMP1 Infrastructure provision
IMP4 Governance of public community space and facilities

17. The following are also material considerations to the determination of this application:-

Supplementary Planning Guidance/Documents

Affordable Housing SPD 2009
Residential Parking and Design Guidance SPD 2010
Sustainable Drainage SPD 2010
Residential Space and Layout SPD 2011 (now external space only)
Sustainable Design and Construction SPD 2012

Public Green Spaces and Water Environment SPD 2012

Informal Design Guidance

Informal Design Guidance Note 1 (2014): Residential layouts & wheeled bins
Informal Design Guidance Note 2 (2014): Screening containers at home
Informal Design Guidance Note 3 (2014): Moving wheeled-bins through covered parking facilities to the collection point

Government Advice

National Planning Policy Framework (NPPF) Revised 2021
Planning Practice Guidance (PPG)
Technical Housing Standards – nationally described standards
Building Research Establishment (BRE) guidance – ‘Site Layout Planning for Daylight and Sunlight: a good practice guide’ by PJ Littlefair (2022).

Assessment

18. The key areas for consideration are as follows:
- (a) Principle of development
 - (b) Impact on open space
 - (c) Design quality and visual impact on the locality
 - (d) Housing mix and standard of accommodation proposed
 - (e) Amenity impacts
 - (f) Highway impacts, car and cycle parking, EVC and refuse strategy
 - (g) Landscaping, ecology and biodiversity, surface water and drainage and contamination
 - (h) Sustainability and climate change
 - (i) Housing Land Supply
 - (j) Habitats Regulations
 - (k) Planning Obligations
- (a) Principle of development**
19. Policy SP1 of the ALP 2030 identifies a number of strategic objectives, first of which is to focus development at accessible and sustainable locations which utilise existing infrastructure, facilities and services wherever possible and makes best use of suitable brownfield opportunities. From a housing perspective, planning applications are expected to provide a mix of housing types and sizes to meet the changing housing needs of the Borough’s population including the provision of specialist housing for older and disabled people.
20. The site is not allocated for development in the ALP 2030. However, Policy HOU3a allows residential windfall development within existing settlements

providing it can be satisfactorily integrated. The application site falls within the settlement of Ashford. Policy HOU3a is subject to certain compatibility and impact assessment provisos including relating to character, density, amenity, highways, infrastructure, safe pedestrian access and use displacement. The assessment sections below address the requirements of this Policy alongside other topic-based specific Policies of the ALP 2030.

21. Policy SP1 also deals with other matters and makes reference to the importance of sense of place, including spaces around and between buildings and how that creates and contributes character alongside supporting uses through appropriate physical infrastructure. Although green spaces are not directly mentioned, Policy SP1 is concerned with the delivery of 'The Vision' as it is set out in the ALP 2030 and 'The Vision' identifies the importance of green spaces to serve expanding populations with references to their protection and expansion. Policy SP6 specifically promotes high quality design and place-making.
22. At face value, any loss of green spaces would be contrary to 'The Vision' as it would not protect the existing baseline provision but Policy COM2 allows for the loss of existing open space in circumstances where it can be demonstrated that the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. It would therefore be reasonable to allow, as a principle, for occasional loss arising from development proposals which are otherwise consistent with the ALP 2030. This is a key issue to this particular proposal and I assess it further below.
23. Subject to the development being considered acceptable against the above policies then the principle of development on this site would be acceptable assessed against 'The Vision' and Policy SP1.

(b) Impact on open space

24. Policy COM2 (Recreation, Sport, Play and Open Spaces) of the ALP states that existing open space, sports and recreational buildings and land should not be redeveloped or used for other purposes, unless any of the following circumstances apply: *an assessment has been undertaken which clearly shows the provision is surplus to requirements, or any loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or the development is for an alternative sport and recreational provision, the needs for which clearly outweigh the loss.* This is consistent with paragraph 99 of the NPPF.
25. For the purposes of Policy COM2, an audit and assessment of all existing open space across the borough was undertaken and published in 2017 in the Council's Open Spaces Strategy (OSS). As shown in **Figure 5** below, parts of the application site are identified in the OSS as 'South Ashford Housing' and

the OSS is therefore relevant to the assessment of this application.

26. For the purpose of the OSS, open space is defined as '*public open space which provides generally unlimited free public access, genuinely useable open space for people, and accessibility over the great majority of the open space*'. Open space collectively refers to parks, amenity space, children's play areas, outdoor sports facilities such as sports grounds, natural and semi-natural greenspace, allotments and cemeteries.
27. The 'South Ashford Housing' open spaces are identified as 'Amenity Space' in the OSS. Amenity space is described in the OSS as '*most commonly (but not exclusively) in residential areas including informal recreation spaces, green space in and around housing, village greens. This may also include areas for water recreation, and playing fields where outdoor sport is not the primary use e.g. there are no marked out pitches and goals.*' Their primary purpose is to provide '*Opportunities for informal activities close to home or work, and enhancement of the appearance of residential or other areas*'.



Figure 5: Extract from Open Spaces Strategy

28. The OSS identifies the application site as being of 'Satisfactory' design value and 'Good' condition. The contribution of the site to the local character of the area is considered under the design and townscape assessment below. The proposed building on the Beaver Lane parcel would have a larger footprint than the previous Star Building in this location and the incorporation of parking on the Cross Stile parcel would by definition result in some reduction in open space.
29. The application is supported by an Open Space Assessment which assesses the development against policy COM2. This demonstrates there is a total of 3.37ha of informal public open space within a 400m radius of the site. This exceeds the minimum standard of open space required by the resident population in this area calculated in accordance with the requirements of the

OSS and the Public Green Space and Water Environment SPD as 3.24ha. Whilst there is some disagreement between the applicant and the Cultural Services team about which amenity spaces should be included in this calculation I am satisfied that they all comply with the OSS's definition of open space, even if they are not identified in the document.

30. I note that the previous reason for refusal referred only to the loss of open space arising from development on the Cross Stile parcel of land. These proposals do not include any buildings in this location. As shown in **Figure 6** below, the incorporation of off-street parking to its edges would result in some loss of open space; however the site would remain visually open, retain free public access and be genuinely useable and accessible. Rather than resulting in any material diminution in the amenity value of the space, the proposals make provision for a comprehensive landscaping scheme which would significantly improve the quality of this open space and its contribution to the local community.



Figure 6: Landscape Concept Plan

31. The Cultural Services team supports the approach to landscape enhancements set out in the submitted Landscape Statement and requests that delivery is subject to further public consultation. I recommend that evidence of consultation is required as part of the landscaping details to be submitted. I note they also request capital investment in the existing open space to the south west of the site which formed part of the previous planning application, however as the proposals are for substantially less development, this open space is not proposed for enhancements at this time. In my view the incorporation of enhancements to open spaces not forming part of the

planning application are not required to make the development acceptable.

32. In summary there are clear benefits from sensitively incorporating parking in this location, including by enabling a higher quality layout to Oakleigh House (from removing the need for large access roads and additional onsite parking) and by providing a flexible parking resource for the existing community. I am satisfied that these proposals address the first part of the previous reason for refusal relating to loss of open space.
33. It has been demonstrated that the local community benefits from access to a sufficient quantity of open space in the area in accordance with the Council's adopted OSS and Open Spaces SPD. The proposals would secure enhancements to existing open spaces for the benefit of existing and future residents in the vicinity of the site. I am satisfied that the proposals comply with the requirements of Policy COM2 of the ALP.

(c) Design quality and visual impact on the locality

34. The Government attaches great importance to the design of the built environment, with national policy placing great emphasis on the importance of good design as a key aspect of sustainable development. The requirements outlined in paragraph 130 of the NPPF include the need to add to the overall quality of the area and establish or maintain a strong sense of place. While appropriate innovation and change, such as increased density, is not to be prevented or discouraged, developments must be sympathetic to local character, including the surrounding built environment.
35. Paragraph 126 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is considered to be a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
36. The NPPF calls for significant weight to be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit within the overall form and layout of their surroundings.
37. The National Design Guide (2019) further supports the principles of the NPPF and seeks to illustrate 'how well-designed places that are beautiful, enduring and successful can be achieved in practice'. This sets out ten characteristics of well-designed places.
38. The Council places great weight on quality place making and Policy SP6 (Promoting High Quality Design) of the ALP is relevant and aligns with this national guidance. The policy sets out a number of design criteria to which new development is expected to positively respond.

39. Prior to the previous application the applicant engaged with key stakeholders, including Officers and the community via an interactive design process. The proposals were also subject to Design Review (see report in Annex 1). The following assessment considers the design quality of the scheme in relation to its layout and access, height, form, scale and massing and design and materials.

- **Layout and access**

40. As noted above, the unbuilt parts of the application site and the various parcels of open space surrounding it contribute to the character and visual amenity of the area. Whilst the current proposals do not include any built form on the currently open parcel of land to the east, they do include the creation of hardstanding to facilitate car parking around the periphery of the site. This would result in a small reduction in open space and cause some harm to visual amenity; however as discussed below I am satisfied that the harm from such loss would be offset by the enhanced quality of the public and semi-public open spaces within the development. In this respect the retained open space would continue to contribute positively to the local character of the area in accordance with criterion (c) of Policy HOU3a of the ALP.

41. More broadly the proposed layout retains the existing road arrangement and has been carefully considered to respond to the site's specific constraints and opportunities. Specifically, the proposed buildings on the former Oakleigh House site have been designed to retain a view along Watercress Lane towards the open space to the south of the application site and to an existing mature oak tree. The layout has also been designed to align and integrate with the established building lines of existing buildings on Watercress Lane and Beaver Lane. The buildings would be set back from the roads with well-defined private and public spaces and landscaped frontages, including where off-street parking is proposed.

42. As noted by the Design Review Panel, long repetitive facades are not typical of the character of this area and the layout of buildings has therefore been broken up and staggered on Beaver Lane to create a variety of internal and external spaces for recreation and social interaction. In this respect the accommodation has been designed around two landscaped courtyards which also maximise sunlight and daylight into the site interior. Internally, the communal areas would be located fronting Watercress Lane.

43. As shown in **Figure 7** below, drop-off facilities and parking would all be distributed off-site around the building. This layout would benefit the residents by providing high quality green courtyard garden spaces around them. Pedestrian access would be provided to the main entrances and in some cases private front doors directly off the street. This will ensure the street scene has some life and activity and will encourage residents to go out for

walk in the neighbourhood. The existing public right of way would be stopped up.



Figure 7: Access arrangements

44. Overall I am satisfied that the layout responds well to the site's different edge conditions and would be compatible with the character of the surrounding area in accordance with criterion (a) of Policy HOU3a of the ALP. The proposals also address the first reason for refusal of the previous application insofar as it would not result in the loss of an existing neighbourhood open space; it would not be harmful to the health and well-being of the local community and it would not be harmful to the character of the surrounding area.

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

45. The supporting text to Policy SP6 of the ALP requires all development proposals to reflect their local context and where the built environment is of decent quality, new proposals should be sensitive in terms of scale, height, layout and massing to surrounding buildings.

46. As shown in the massing diagram in **Figure 8** below, the largest of the buildings would be 3-storeys in height adjacent to Watercress Lane and Beaver Lane and would match the height and scale of the former Star building. The building heights would be reduced to two-storeys where the

Watercress Lane and Beaver Lane elevations adjoin the northern boundary.



Figure 8: Massing diagram

47. As shown in **Figure 9** below, the 2 single-storey units would be comparable in height and form to the adjacent bungalow. The height of this building would also reflect the proximity of this part of the development to 333 Beaver Lane. The buildings would all feature traditional pitch roofs in keeping with the surroundings.



Figure 9: Single storey wheelchair-accessible apartments

48. The scale and massing of the buildings has been varied to respond to the immediate context, with more prominent parts of the site celebrated through the use of architectural features including gables and bays. The longer block fronting Watercress Lane has also been articulated with a series of gables and bays to give greater vertical emphasis to the longer facade. As noted by

the Design Review Panel the use of repetition is a positive element of the proposal.

49. In summary, I consider that the height, form, scale and massing of the development would be of a high quality for this suburban site and compatible with the surrounding area in accordance with criterion (a) of Policy HOU3a of the ALP. In my view, it would be an acceptable and complementary response to the surrounding townscape.

- **Design and materials**

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



Figure 10: Visualisation from south west

51. In terms of materials, the elevations would comprise a high quality buff/beige coloured multi-brick with areas of textured brick. The communal areas would be demarcated by a red brick plinth to give a clear definition of the different functions of the building. There are also opportunities to introduce accents of colour on the front doors, benches and balconies to add visual interest and emphasise the proposed architectural quality of the development. It is proposed to use plain clay roof tiles to assimilate the development into its surroundings. I concur with the Design Review Panel recommendation that samples of materials should be secured by condition.

52. In summary, I consider that the buildings would be of high quality design. The buildings and associated landscape strategy would enhance the townscape in this prominent location whilst also being sympathetic to the local context and character of the surroundings in accordance with Policies SP6 and HOU3a of the ALP.

(d) Housing mix and standard of accommodation proposed

53. Policy HOU18 of the ALP 2030 requires development proposals of 10 or more dwellings to deliver a range and mix of dwelling types and sizes to meet local needs. The application is supported by a Statement of Need which identifies approximately 40 young people between the ages of 18-25 with less complex learning disability needs who are in residential care homes but who would like to be accommodated in the community. This is in addition to the young people who will be ready to leave the parental home or who are in foster care, residential education or children's care homes.

54. The proposed accommodation for adults with learning disabilities would comprise 3 x 1-bedroom flats/Units at ground floor and 2 x 1-bedroom flats at first floor.

55. Notwithstanding that Policy HOU18 exempts development proposals for standalone older persons housing from the requirement to deliver a range and mix of dwelling types and sizes, the proposed sheltered accommodation would include a range of accommodation types and sizes, including 1-bed flats (45 units/83%) and 2-bed 3 person flats (9 units/17%). I am satisfied that the range of accommodation types and sizes is appropriate to the mix of dwelling types and sizes in the local area and that as a whole the development proposals would comply with the broad objectives of Policy HOU18.

56. All Units would comply with the Nationally Described Space Standards in accordance with the Council's Residential Space and Layout SPD and provide private external open space in the form of projecting or recessed balconies or at ground floor private gardens in accordance with Policies HOU12 and HOU15. In response to concerns raised by the Design Review Panel, all of the units would benefit from gallery access creating dual or triple aspect apartments that face onto both the public street and the private courtyards and have been orientated to benefit from cross ventilation, good levels of daylight, sunlight, outlook and privacy. The development makes provision for 6 M4(3) wheelchair accessible units (4 x 2-bedroom flats for independent living for older people and 2 x 1-bedroom flats for adults with learning disabilities), with the remainder all exceeding M4(2) requirements.

57. The development would benefit from a mix of communal and private entrances and communal living spaces and provide a good standard of living accommodation for future occupiers. The submitted Statement of Need

confirms that the application site has been identified as suitable for both older people and adults with learning disabilities to capitalise on the opportunities to create an intergenerational community. The statement also refers to links between this site and recently completed accommodation for older people and for adults with learning disabilities at Farrow Court. The proposals make adequate provision for refuse storage and collection in accordance with the Council's Residential Layouts and Wheeled Bins guidance.

58. As a flatted development within Ashford town, adopted Policy HOU1 of the ALP does not require the provision of affordable housing and therefore none is proposed. Notwithstanding this, the proposed development would be retained by the Council and the units let at affordable rents.
59. Policy HOU6 of the ALP requires all sites within and on the edge of Ashford and Tenterden delivering more than 40 dwellings to supply no less than 5% of serviced dwelling plots for sale to self or custom builders. Whilst this development is for over 40 Units on the edge of Ashford, I am satisfied that the flatted nature of the scheme and the specialist type of accommodation being provided mean that this requirement cannot be reasonably accommodated on this site and that the absence of serviced plots is justified in this instance.

(e) Amenity impacts

60. Policy HOU3a permits residential development and infilling of a scale that can be satisfactorily integrated into an existing settlement provided a number of requirements can be met, including (b) where it would not create a significant adverse impact on the amenity of existing residents.
61. The application site is located in an established residential area of Ashford and there are a number of dwellings located on Beaver Lane and Watercress Lane with potential sensitivity to the redevelopment of the site.
62. The proposals include the creation of off-street parking on the open space to the east, however this would not result in any significant adverse impacts on the amenities of existing residents of surrounding buildings, including the residents of the 4 terraced dwellings (32-38 Cross Stile) and the end of terrace dwelling at 2 Watercress Lane immediately west of the site and shown in **Figure 11** below.



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

63. The parking bays would all be located at the perimeter of the site to ensure the retention of a long open aspect over the open space from the front of the 5 dwellings. The open space would be retained as publically accessible and feature enhanced landscaping, including new trees throughout. The development would also safeguard the amenities of the 3-storey dwellings at 23-31 Cross Stile.
64. The new buildings would be located on a site formerly occupied by buildings. Although the replacement buildings would in some parts be higher, by reason of the layout of the site and separation distances with dwellings opposite, the only dwellings with potential to be adversely impacted are 333 Beaver Lane (a two storey detached dwelling) and 25 Watercress Lane (a detached bungalow) directly to the north of the site; both of these dwellings and their gardens share side boundaries with the application site. The planning application is supported by a Daylight, Sunlight and Overshadowing assessment in accordance with the requirements of the BRE guidance.
65. Prior to its demolition, the footprint of the former two-storey Oakleigh House was set back from the front building line of 333 Beaver Lane and extended along the length of the rear garden boundary. Although the replacement building would occupy a larger footprint and extend further along the boundary than the previous building in this location, it would be lower in height adjacent to the garden boundary. The Daylight, Sunlight and Overshadowing assessment concludes that the proposals would have a beneficial impact on daylight and sunlight to this property and would have no impact on overshadowing of its rear garden space.
66. Similarly, the proposals would result in buildings coming closer to the boundary with the rear gardens of 25 and 27 Watercress Lane; however the single storey nature of the development to the rear of these dwellings would prevent any unacceptable harm to amenity, including in terms of loss of light

or overshadowing, outlook or privacy.

67. The proposed development would step down to 2-storeys at the closest point to the south of the bungalow at 25 Watercress Lane. The Daylight, Sunlight and Overshadowing assessment concludes that the proposals would have no adverse impacts on the daylight or sunlight received to this property or to its garden. I note that it is proposed to create a 2.4m high boundary along the shared side boundaries with these properties which will further mitigate any impacts. In response to Kent Police's comments regarding the importance of establishing appropriate perimeter, boundary and divisional treatments to clearly distinguish private from public and communal spaces, I recommend that further details of all boundary treatments be secured by condition.
68. The scale of the development and its location within a residential area could give rise to temporary construction related impacts on amenity. I therefore recommend conditions be imposed in relation to hours of construction and noise and dust emissions. I recommend these be secured as part of a Construction Management Plan via an appropriate condition.
69. Overall I am satisfied that the proposals would safeguard and provide a good standard of amenity for existing and future users of development in accordance with paragraph 130 of the NPPF and the requirements of Policy HOU3a of the ALP.

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

70. The planning application is supported by a Transport Statement (TS) in accordance with the requirements of Policy TRA8 of the ALP. The TS concludes that the site is in a sustainable location with good access to public transport serving a range of facilities and services in the local area.
71. The proposed development would result in a modest uplift of residential units on the site and the Highway Authority is satisfied that it would not create additional traffic generation that would result in unacceptable impacts on the local highway network, including in terms of highway capacity. With the exception of off-street parking, the development would not make provision for onsite vehicle access.
72. The proposals do include new surfacing to facilitate parking and resurfacing of parts of the existing carriageway. The Highways Authority has advised that the carriageway works may not be acceptable from the perspective of future maintenance. On the basis that these works are not integral to the delivery of the development I am satisfied that further details can be secured by condition.
73. In recognition of the scale of the development, I consider it reasonable to impose a planning condition requiring the submission of a Construction

Management Plan, to include details of lorry routing and contractor parking. The proposal is therefore acceptable in highway terms and consistent with criterion (e) of Policy HOU3a.

- **Car parking**

74. Policy TRA3 (a) of the ALP sets out the required parking standards for new development within town centre, suburban and rural locations but also permits flexibility, for example where there is a good level of accessibility to shops and services and a good level of non-car access. For the purposes of the Use Classes Order the development would comprise residential units (use Class C3) which Policy TRA3(a) dictates should provide 1 space per residential unit on average in this location; however it has been established that the development would provide specialist accommodation for older people and for adults with learning disabilities.
75. The proposals make provision for a total of 46 off-street car parking spaces, including 22 around the edges of the proposed buildings and to be accessed from Beaver Lane and Watercress Lane (including 2 disabled spaces and one pick-up/drop-off space). A further 24 car parking spaces would be provided around the edges of the adjacent open space to be accessed from Watercress Lane and Cross Stile.
76. Whilst the provision is below the '1 space per residential unit on average' requirement, Policy TRA3 allows for departures from the parking standards in cases where an operator or potential occupier requires fewer parking spaces to cater for their specific operational needs and where such requirements can be clearly evidenced and where their presence has wider planning benefits.
77. The Highways Authority is satisfied that the specialist nature of the residential use warrants an approach to parking provision that is proportionate to its future needs and these have been evidenced. Specifically the proposed parking ratio of 0.8:1 is higher than other similar developments, including at East Stour Court (parking ratio of 0.6:1) and Farrow Court (parking ratio 0.5:1) and has been agreed as acceptable by the Highway Authority.
78. Acknowledging the proximity of the development to bus stops and the provision of secure mobility scooter parking and charging facilities, the parking arrangements would be acceptable taking account of the typically low levels of car ownership (estimated to be 19%) by occupiers of specialist accommodation such as this. I also note that the spaces around the adjacent open space would be unallocated and designed to be a flexible resource for the wider community to use which would be a benefit of the scheme. As recommended by the Highways Authority the provision of these spaces shall be secured by condition prior to first occupation of the development.
79. The proposals would provide 9 more parking spaces and 8 fewer units than

the previously refused scheme and are considered to address the previous reason for refusal relating to parking provision.

- **Electric vehicle charging (EVC)**

80. The proposals include provision of 12 active EVC points to be located adjacent to the main entrances to both buildings which would be in excess of the minimum number of active EVC points recommended by the Highway Authority. I recommend that further details of EVC, including specification and provision for passive charging be secured by condition to help stimulate the take-up of EV's by residents through good on-site infrastructure provision.

- **Cycle parking**

81. Policy TRA6 of the ALP requires cycle parking to be provided for Sui Generis uses such as this on a case by case basis. Provision is shown for 6 Sheffield stands to provide parking for 12 cycles. These would be easily accessible to the main building entrance, appropriately integrated into the landscaping strategy and sited to benefit from passive surveillance. Subject to a condition to require further details of design and to ensure they are covered and secure, I concur with the Highway Authority that the proposals are acceptable in this regard.

- **Refuse strategy**

82. Sufficient communal refuse and recycling storage has been incorporated into the ground floors of both developments. The storage areas are easily accessible from the building cores and capable of being serviced from the adjacent highways without compromising safety. The Council's Street Scene and Open Spaces Officer is satisfied with the arrangements.
83. I recommend that provision of the facilities be secured by a condition requiring the agreement of final details (to ensure good practice in relation to general waste, food waste and recycling, including details of internal signage and any other related proposals to achieve such practice and help avoid cross-contamination).

(g) Landscaping

84. As shown in the Landscape Concept Plan in **Figure 12** below it is proposed to use high quality hard and soft landscaping (including extensive tree and shrub planting) to create a number of distinct landscape character areas across the site, including to the boundaries, Watercress Lane, communal courtyard gardens and community green space.



Figure 12: Landscape Concept plan

85. The site wide planting strategy would incorporate a mix of trees, blooming shrubs, perennials, grasses, hedging and bulbs. The planting would serve to soften the boundaries and provide biodiversity benefits. Whilst it is necessary to remove a number of trees to facilitate the development, including 3 trees on the Cross Stile open space, significantly more would be planted. The tree planting strategy shown in **Figure 13** below includes the creation of avenues of tree planting along Beaver Lane, Watercress Lane and Cross Stile. It is also proposed to plant 3 oak trees at the prominent junction at the southern end of the site.



Figure 13: Tree planting strategy

86. The residents' communal courtyard gardens have been well designed and make provision for tables and sitting spaces to encourage interaction and foster community. They also include planting beds and growing areas, an area of lawn and feature trees. The community green space would include amenity grass, low level natural play features using timber / natural stone elements (this could follow an ecological theme, such as bug themed timber play equipment) and ecological features such as meadow areas and bird and bug boxes.
87. I recommend further details of the hard and soft landscaping to include materials specification, planting schedules, species and densities and a management strategy be secured by condition.
88. In summary, the proposals would result in significant enhancements to hard and soft landscaping across the application site compared with the existing situation of little to no landscape planting. The proposals would offer maximum visual interest and biodiversity benefits in accordance with relevant planning policy and guidance and make a significant contribution to the quality of the development and create an area of high quality public realm.

- **Ecology and biodiversity**

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

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

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

- **Surface water and drainage**

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

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

- **Contamination**

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

(h) Sustainability and climate change

98. The proposed development aspires to be highly sustainable and the planning application is supported by an Energy Statement. The proposed energy strategy is based on the established energy hierarchy of be lean (using less energy), be clean (supply energy efficiently) and be green (use renewable energy).
99. The proposed buildings have been designed to incorporate passive measures, including by minimising air leakage through high standards of airtightness within each unit and high levels of thermal efficiency including through enhanced roof, wall and floor insulation and high performance windows and doors. The energy supply will be based on zero fossil fuel use through the installation of Ground Source Heat Pumps (GSHP) comprising boreholes located around the footprint of the building which would be connected to heat pumps within individual flats capable of providing heat via underfloor heating as well as hot water. It is also proposed to install photovoltaic (PV) solar panels to generate renewable energy on site. In the absence of any further scheme information at present, including whether PVs would be mounted or integrated, I recommended fine details of the PV scheme be secured by condition.
100. The energy strategy would provide for 43.3 tonnes of carbon saving (76%) each year and provide a solid basis for achieving zero carbon development.
101. More widely, the development would respond to the challenge of climate change through the incorporation of SuDS, high energy efficiency equipment and low flow water fittings. I recommend a condition to restrict water consumption to no more than 110 litres per person per day in accordance with the requirements of Policy ENV7 of the ALP. The proposal also provides for

electric vehicle charging. This would be in accordance with the requirements of Policy ENV12 of the ALP which requires all major development proposals to promote a shift to the use of sustainable low emissions transport.

102. In summary, I am satisfied that the proposed development has been designed to address and mitigate the risks of climate change, including through the implementation of a low carbon energy strategy and the construction of a building designed to minimise energy consumption. In this regard the proposals are consistent with national and local planning policy and guidance.

(i) Housing Land Supply

103. The Council's 5 year housing land supply for the Borough is material to the consideration of this application. The Council's latest Housing Land supply position 'Five Year Housing Land Supply Update July 2021' was published in November 2021 and covered the period from 2021 to 2026. This identified that the deliverable housing land supply was equivalent to 4.54 years.
104. However, an Inspector published an appeal decision, (reference APP/E2205/W/21/3284479 - Land between Woodchurch Road and Appledore Road, Tenterden) which challenges the Council's assumptions. The appeal decision referred to as the 'Wates' appeal is dated 30 March 2022^[2]. The appeal decision suggests that the Council is only able to demonstrate a 5-year housing land supply position of 3.5 years.
105. The Council's view is that there are a number of issues associated with this appeal. These issues primarily relate to the assumptions made by the Inspector about the delivery of sites located in areas of the Borough that fall within the Stour Catchment (where Natural England's Nutrient Neutrality Advice^[3] applies). The Council also note that the Inspector does not appear to have taken into account a letter from the Chief Planning Officer (dated 16 March 2022) which clearly elevates the nutrient issue and recognises that in affected areas "*there may be implications for the Housing Delivery Test and 5 Year Housing Land Supply*". This letter was written before the Wates Inspector made his decision.
106. On the basis of the above it is accepted that the figure of 4.54 years is not the starting point in relation to the application of paragraph 11(d) of the NPPF (which is referred to as the 'tilted balance'). This requires the decision-maker to grant planning permission for new housing development unless:-

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

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

- i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.'*

107. In effect, paragraph 11(d) requires additional weight to be given to the issue of delivery of homes in the required balancing exercise. Although the identified impact on Stodmarsh (considered further below) would normally mean that part (i) above applies, the Head of Planning and Development will, once a mitigation strategy is identified, be able to adopt an Appropriate Assessment that concludes that there will be no adverse effect on the integrity of the protected site and as such the first exemption to paragraph 11(d) would no longer apply.

108. On the second exemption, I do not consider that adverse impacts could be demonstrated that would reach the required bar so as to dictate a refusal of planning permission in the current circumstances where the Council cannot demonstrate a 5 year housing land supply and so my conclusion is that this exemption would also not apply. The tilted balance is therefore engaged and the implications of this are considered in the conclusion below.

(j) Habitats Regulations

109. The Council has received advice from Natural England (NE) regarding the water quality at the nationally and internationally designated wildlife habitat at Stodmarsh lakes, east of Canterbury, which in particular includes a Special Area of Conservation (SAC), a Special Protection Area for Birds (SPA) and a Ramsar Site.

110. The importance of this advice is that the application site falls within the Stour catchment area and the effect is that this proposal must prima facie now be considered to have a potentially significant adverse impact on the integrity of the Stodmarsh lakes, and therefore an Appropriate Assessment (AA) under the Habitats Regulations 2017 (as amended) would need to be undertaken and suitable mitigation identified to achieve 'nutrient neutrality' as explained in NE's advice, in order for the Council to lawfully grant planning permission.

111. Under the Council's Constitution, the Head of Planning and Development already has delegated authority to exercise all functions of the Council under the Habitats Regulations. This includes preparing or considering a draft AA, consulting NE upon it, and amending and/or adopting it after taking into account NE's views.

112. The planning application is supported by a Nutrient Neutrality Assessment which confirms that mitigation will be required in order for the development to

achieve 'nutrient neutral' status. As matters stand, it is very likely that an off-site package of mitigation measures will be required in order for the development proposal to achieve 'nutrient neutral' status and in the absence of such measures (or any others) having been identified and demonstrated to be deliverable, it is not possible to conclude, at this moment in time, that the scheme would be acceptable in respect of this issue.

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

(k) Planning Obligations

115. 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
116. In accordance with the requirements of policy IMP1, I recommend that the planning obligations set out in Table 1 below be secured in the event that planning permission is resolved to be granted. For the reasons I have set out the obligations are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development.
117. KCC have made a number of requests for S106 money, however the Council is currently reviewing these requests to make sure they are aligned with the Regulations and that clear evidence is available to justify the amounts. Until this has been resolved, the Council will continue to rely on the pre 2020

requests from KCC as those are judged to be robust and based on evidence that was in the public domain.

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

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

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

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

	scheme.			
3.	<p><u>Art and Creative Industries</u></p> <p>Project detail: Contribution towards the provision of public art or the delivery/enhancement of a facility.</p> <p><i>The Local Plan identifies the following facilities as strategic art spaces: Revelation at St Mary's, Rehearsal and Production Centre, Making and exhibiting workspaces, Arts use in community hubs.</i></p>	<p>£6091.20</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Upon occupation of 75% of the Units.</p>	<p>Necessary in order to achieve an acceptable level and quality of provision pursuant to Local Plan Policies SP1, IMP1, COM1 and guidance in the NPPF, the Ashford Borough Public Art Strategy and the Kent Design Guide.</p> <p>Directly related as would improve the quality of facilities available to the development and would be available to occupiers.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development.</p>
4.	<p><u>Indoor Sports Provision</u></p> <p>Project detail (off site):</p> <p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards</p>	<p>Off site: £10801</p> <p>(capital only – contributions are derived from the latest</p>	<p>Upon occupation of 75% of the Units.</p>	<p>Necessary as additional indoor sports facilities are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 and guidance in the NPPF.</p> <p>Directly related as occupiers will use indoor sports provision and the buildings</p>

	quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.	Sport England Calculator). Indexation: BCIS General Building Cost index 2019		provided would be available to them. 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
5.	<u>Informal Natural Green Space*</u> *public open space excluding amenity open space land and children and young people's play space. Project detail: Contribution towards public open spaces within the vicinity of the site.	Capital contribution £7812 Plus Commuted maintenance sum £5850 Indexation: BCIS General Building Cost index 2012	Upon occupation of 75% of the Units.	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 Local Plan 2030 Policies SP1 , IMP1 and COM2 Public Green Spaces and Water Environment SPD and guidance in the NPPF. Directly related as occupiers will use informal/natural green space and the facilities to be provided would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the

				maintenance period is limited to 10 years.
6.	<p><u>Outdoor Sports Provision</u></p> <p>Project detail: Schemes in the Ashford Urban Area:</p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>Capital contribution £4848.90</p> <p>Plus</p> <p>Pitch maintenance 10 yrs £2894.45</p> <p>Indexation: BCIS General Building Cost index 2019</p>	Upon occupation of 75% of the Units.	<p>Necessary: as outdoor sports pitches are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 and guidance in the NPPF.</p> <p>Directly related: as occupiers will use sports pitches and the facilities to be provided would be available to them.</p> <p>Fair and reasonably related in scale and kind: considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
7.	<p><u>Strategic Parks</u></p> <p>Project detail: Contribution to be targeted towards quantitative and qualitative improvements at the strategic parks within the</p>	<p>Capital contribution £2682</p>	Upon occupation of 75% of the Units	<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 Local Plan 2030 Policies SP1, IMP1 and COM2, Public Green Spaces</p>

	'Hubs' identified in the Local Plan 2030.	Plus Commuted maintenance £846 Indexation: BCIS General Building Cost index 2012		and Water Environment SPD and guidance in the NPPF. Directly related as occupiers will use strategic parks and the facilities to be provided would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.
8.	<u>Voluntary Sector</u> Project detail: TBC	£1566 Indexation: BCIS General Building Cost index 2019	Upon occupation of 75% of the Units.	Necessary as enhanced voluntary sector services needed to meet the demand that would be generated pursuant to Local Plan 2030 Policies SP1, IMP1 and COM1 KCC document 'Creating Quality places' and guidance in the NPPF. Directly related as occupiers will use the voluntary sector and the additional services to be funded will be available to them. Fairly and reasonably related in scale and kind considering the extent of the

				development.
Kent County Council Planning Obligations				
9.	<p><u>Adult Social Care</u></p> <p>Project detail: Towards assistive technology systems, adapting Community facilities, sensory facilities, and Changing Places locally in the Borough.</p>	<p>£47.06 Per Dwelling (x18)</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the Units and balance on occupation of 50% of the Units</p>	<p>Necessary as enhanced facilities and assistive technology required to meet the demand that would be generated pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p>Directly related as occupiers will use community facilities and assistive technology services and the facilities and services to be funded will be available to them.</p> <p>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 Units.</p>
10.	<p><u>Community Learning</u></p> <p>Project detail: Towards additional</p>	<p>£16.42 Per Dwelling (x18)</p>	<p>Half the contribution upon</p>	<p>Necessary as enhanced services required to meet the demand that would be generated and pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 KCC's</p>

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	resources and equipment at Ashford Adult Education Centre and outreach service for the additional learners from development.	Indexation: BCIS General Building Cost Index from Oct 2016	occupation of 25% of the Units and balance on occupation of 50% of the Units	'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF. Directly related as occupiers will use community learning services and the facilities to be funded will be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of Units.
11.	<u>Libraries</u> Project detail: Towards additional book stock, services, and resources for the new borrowers generated by this development.	£48.02 Per Unit (x18) Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution upon occupation of 25% of the Units and balance on occupation of 50% of the Units.	Necessary as more books required to meet the demand generated and pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF. Directly related as occupiers will use library books and the books to be funded will 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 Units.
Other Obligations				
Monitoring				
	<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 completed.</p> <p>Indexation: Indexation applied from the date of the resolution to grant permission.</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><u>Notices</u> must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's and Kent County Council's legal costs in connection with the deed must be paid.</p> <p>PLEASE NOTE:</p> <ul style="list-style-type: none"> • If an acceptable deed is not completed within 12 months of the committee's resolution, the application may be reported back to Planning Committee and subsequently refused. • Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change, 				

Human Rights Issues

119. I have also taken into account the human rights issues relevant to this application. In my view, the “Assessment” section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

120. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner.

Conclusion

121. The proposed development has been designed to address the reasons for refusal of planning application reference 21/01250/AS. Specifically, the proposed buildings would comprise a sustainable redevelopment that includes brownfield land in an accessible location. Whilst no buildings are proposed on the locally valued open space between Cross Stile and Watercress Lane I have identified that the provision of off-street parking around the periphery would result in some harm. The applicant’s case is the community has access to a sufficient quantity of open space in accordance with the requirements of the relevant policies and guidance and no objection is raised by Cultural Services with a request being made for enhancements to the quality of the retained open space within the site for the benefit of the community.
122. The benefits of the development include the social benefits in meeting a need for specialist housing in the form of accommodation for older people and for adults with learning disabilities, the aforementioned improvements to open space and the related enhancements to ecology and biodiversity and the provision of an additional flexible parking resource for existing residents.
123. I am satisfied that the development would deliver a range of dwelling types and sizes that would provide a choice of high quality specialist housing and external amenity space for future occupiers. The accommodation for adults with learning disabilities will support residents to live independently and provide much needed accommodation for people who would otherwise remain in residential care.
124. More broadly, I am satisfied that the proposals comprise a high quality well designed development. In terms of access, layout, scale and design the proposals would be well integrated with its surroundings. Externally, the proposals incorporate an appropriate quantum of sensitively designed car

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

125. The adverse impacts I have identified in relation to the loss of open space would not significantly and demonstrably outweigh the benefits of the development when considered against the policies in the NPPF taken as a whole. In the context of the tilted balance, I therefore conclude that planning permission should be granted in accordance with the Recommendations below.
126. Currently, insufficient information has been provided to allow the Council to assess the impact of the proposal on the Stodmarsh SAC, SPA and Ramsar Site under the Habitats Regulations. Therefore, the Recommendation (B) below to approve is subject to the adoption, under delegated powers, of an Appropriate Assessment to the effect that the development will not adversely affect the integrity of the SAC, SPA and Ramsar Site, and to secure any necessary additional obligation(s) and/or planning conditions to that end. Mitigation will be via an off-site solution. Upon adoption of an Appropriate Assessment I consider the proposed development to be acceptable and in accordance with the Development Plan.
127. As discussed within the main body of the report I recommend that a number of conditions will be necessary. My Recommendation (C) further below deals with delegation to add/amend/remove planning conditions as appropriate.

Recommendation

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

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

- C. PERMIT, subject to planning conditions and notes, including those dealing with the subject matters identified below (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.**

Conditions:

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

23. Landscape Management Plan
24. Details and provision of external lighting strategy
25. Details and provision of biodiversity enhancement measures
26. Details of provision of Fibre to the Premises
27. Site Inspection

Notes

- Site subject to S106 Agreement
- Expect applicant to liaise with Kent Police to further review how Secured By Design principles can be included in fine detail etc.
- Environmental Protection notes relating to construction hours/burning of waste/control of dust
- KCC PROW notes relating to works in the vicinity of a PROW

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference PA/2022/2774)

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Annex 1 – Design Review Panel Report (August 2020)

The proposal

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

The design review meeting

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

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

Summary

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

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

Key recommendations

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

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

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

Detailed comments and recommendations

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

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

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

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

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

6. Layout

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

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

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

7. Materials and detailing

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

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

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

8. Energy strategy

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

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

Confidentiality

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

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

Role of design review

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

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