



Planning Committee

Wednesday the 20th March 2019 at 7.00pm

Update Report for the Committee

The following notes and attached papers will be referred to at the meeting and will provide updated information to the Committee to reflect changes in circumstances and officer advice since the reports on the agenda were prepared

3. **Minutes** – To approve the Minutes of the Meeting of this Committee held on the 20th February 2019,
4. Requests for Deferral/Withdrawal - **None**
5. **TPO/19/00016** – Confirmation of Tree Preservation Order No. 16, 2019 – High Snoad Wood, Green Lane, Challock.

The Report Title should read: Confirmation of Tree preservation order No.16, **2018**

6. Schedule of Applications
 - (a) **18/01140/AS – Land fronting Canterbury Road at Ashford Hockey Club and land to the north of Ball Lane, Kennington, Kent – Outline application for the erection of 9 dwellings with access from Canterbury Road (with all other matters reserved), and change of use of land from agriculture to provide two football pitches on land at Ball Lane.**

30 additional letters of support and 1 letter of objection received none of which raise any new additional issues to those already included in the report.

- (b) **18/01771/AS – Smarden Charter Hall, Chessenden Lane, Smarden Ashford, Kent, TN27 8NF - Erection of a single storey store/shop (Class A1) with associated ancillary parking spaces together with a revised parking layout to Charter Hall.**

ABC Street Scene and Open Space Officer has made the following comments:

As this application is for a single store/shop Ashford Borough Council would not be making any refuse or recycling collections from the property as all commercial collections are the responsibility of the business owner. Therefore we have no comment to make on this application.

Four additional letters of representation have been received which raise the following issues in addition to those set out in the full report:

- A 20 MPH sign should be installed on The Street to prevent speeding.
- Cars park on the kerbs and double yellow lines will not prevent this as there will be no one around to enforce the restriction.
- Double yellow lines will encourage parking on grass verges and footways. Bollards should be provided to prevent this.
- Double yellow lines should be extended into the street.
- The pathway by Jubilee House, near the lowered kerb, is narrow and will not accommodate a pushchair, or wheelchair waiting to cross the road, and, at the same time, allow someone to pass them. Pedestrians have to step into the road. If the proposed footpath by Countrywide properties is not constructed prior to the commencement of trade in the shop, this will impact on the safety of pedestrians.
- The 6 bungalows in Chessenden Lane are specifically for older and disabled people.
- Parking, access and timing for construction vehicles and site personnel.
- Flooding on the highway.
- Impact on amenity caused by glare from headlights.
- A viable alternative would be a hosted outreach post office situated in a safe, secure building.
- Bungalows no.1, no.2, and no.3 will need some form of parking access to their homes which will stop people attending the village hall from parking outside the properties.
- The Local Plan says new employment premises in the countryside will not be permitted unless there are exceptional circumstances. These are not exceptional circumstances and no employment will be provided or is envisaged in the future.
- A heritage statement should have been submitted as part of the planning process that considered the setting of both the conservation area of Smarden and Jubilee House.
- The setting of a listed building is more than associated views and vistas and that the planting of natural screening should not be considered an acceptable resolution to harm.
- This will also open up views across the new 50 house estate which the Planning Inspector was seeking to avoid.

One representation includes photos (attached at appendix 1) showing parking in the Charter Village Hall and parking along Chessenden Lane.

- The manner in which the scheme has been submitted and progressed by the applicants has caused ill feeling amongst local residents resulting in objectors feeling as though they are unable to attend the committee meeting.

An amendment is proposed to the wording of condition 6. The phrase “falling within Class A1” is to be deleted.

In full the amended condition will read as follows:

The building shall only be used for the sale of convenience goods and as a post office with an ancillary café facility. The building shall not be used for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or whether or not permitted by virtue of the provisions within the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

Reason: *In order that any other proposal for the use of the site is the subject of a separate application to be determined on its merits, having regard to the interests of the amenity of the area.*

- (c) **18/01168/AS – Kent Wool Growers Ltd, Brundrett House, Tannery Lane, Ashford, Kent, TN23 1PN - Demolition of existing buildings (except Whist House) and redevelopment to provide 244 residential units within four apartment buildings and works associated with the restoration of Whist House to provide a 4-bed dwelling. All together with associated areas of new public realm, hard and soft landscaping, parking, plant and storage and access works.**

Closing date for receipt of comments from consultees on the amended plans is 20th March.

Consultees

KCC Flood & Water Management:

No further comment to make on this proposal and would refer you to our previous response dated 5th December 2018.

Natural England:

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Historic England:

We do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

KCC Ecology:

Further comments made were

- A reptile translocation may need to be carried out to ensure appropriate mitigation will be implemented.
- Suggest an extra bat sensitive lighting plan condition
- Suggest an extra water vole survey condition

ABC Cultural Services:

The original comments still apply with the following minor changes

- At a potential 243 flats informal public open space is required on site to a value of £64,141.88 capital and £57,585.94 commuted sum, 0.85ha in area. The Design and Access Statement Addendum provides limited detail on what is considered public open space (detailed as Public Amenity Space): Riverside 1440m², Podium 130m². This is substantially below the necessary 0.85ha, and therefore off-site contribution is required.
- The riverside offer of 0.14ha is also well below our required standard of providing minimum public open spaces of a size of 0.25ha.
- Amended Off Site Contributions

	Total capital contribution for off-site provision	Total commuted maintenance sum for the development
Sport - outdoors	281,550.94	57,763.13
Informal/natural	76,899.38	57,585.94
Play	114,994.69	117,475.31
Allotments	45,714.38	11,694.38
Strategic Parks	25,869.38	8,327.81

- Requirements for Cultural improvements
 - A contribution is required for arts of £59,960.25, towards arts programming in Ashford town centre.
 - A contribution is required for the voluntary sector of £21,141, towards Ashford Volunteers Centre.
- More information is required on the potential shading from buildings, and how the landscape responds to this. There are areas which will potentially receive very minimal amounts of light, particularly in the winter months.

ABC Housing:

We note that under policy HOU1 in the council's Local Plan there is no requirement for affordable housing in flatted development within the town centre. Therefore, although we note the application there are no requirements from us, based on policy HOU1.

Ashford Access Group:

- Concerned by fact that there is no ramped access to the 'social' space on the Podium and there is no alternative exit for those who have had to use the lift, in the case of emergency. Please consider making it a requirement that this is amended in some way.
- Is the car parking to be allocated to each flat?
- What parking provision is there for visitors to Residents?

- Allocated disabled parking for visitors?
- Please ensure that maximum attention is given to the style and regulation markings for any steps and that there is suitable provision of handrails.

Objection :

An objection letter has been received

- Questions the viability issues preventing relevant s106 contributions being made. suggests the previous permission which are taken into account must be extant and that the site must therefore be valued at existing use - as a run down light industrial retail site with significant heritage constraints.
- The unpublished viability report reflects the substantial changes of NPFF18 which indicates that viability evidence should be published in all but exceptional cases.
- The officer's report should address why this case was deemed exceptional.
- This site is not exceptional and since the public has not had the appropriate evidence available the consultation process is flawed.

Assessment

Disabled Access

It is important to note that a ramp is not considered to be required under current Building Regulations as it is a private amenity space and lifts to the podium are felt to be adequate

However following the comments of the Ashford Access group about the lack of a ramp up to the podium, the developer has agreed to put a ramped access from the riverside open space. This ramp will be approximately 60metres in length.

An external wheelchair compliant platform lift will also be provided adjacent to the set of steps on the west edge of site between blocks B and C leading directly off the main access street. See sketch below.

The materials and detailed design of the disabled access ramp and platform lift will be covered by extra conditions.

The inclusion of the ramp has a negligible impact on the provision of open space. It results in a slight reduction of 63sq.m in public open space. This still leaves 1507sqm of public open space. This is still an increase in open space compared to the scheme presented to committee in January.

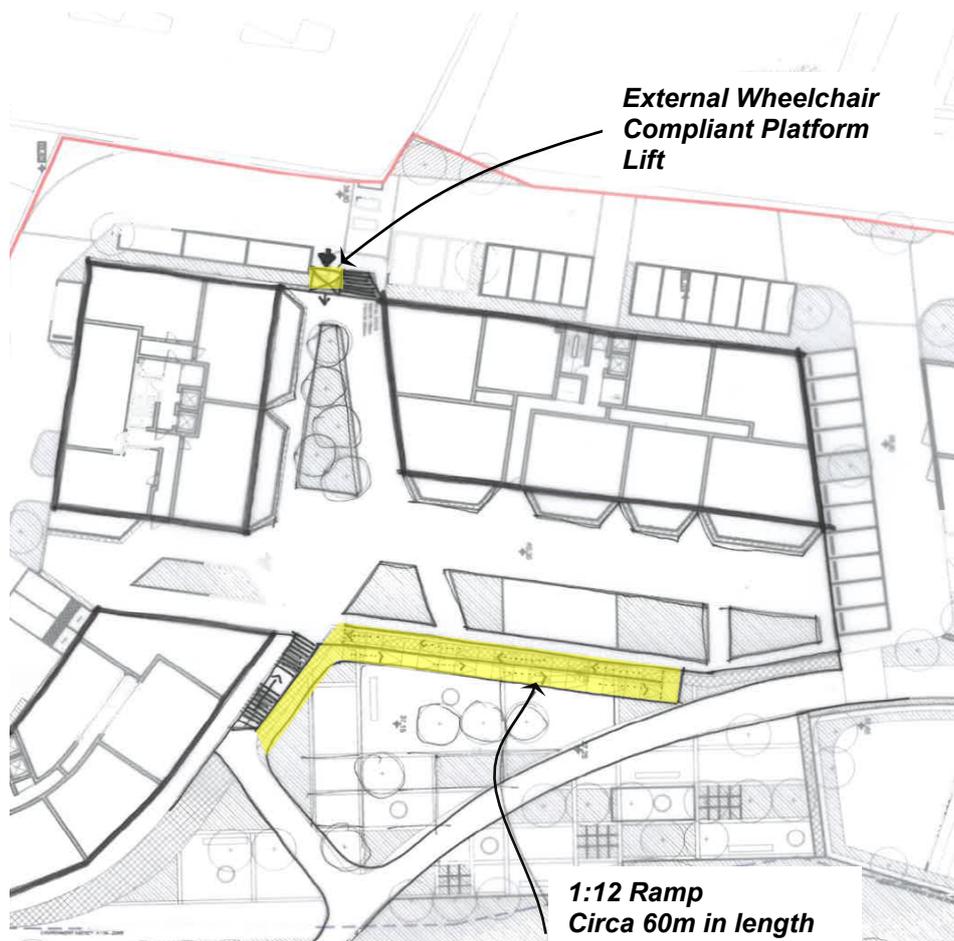
Viability issues

The s106 contributions are dealt with in the original Committee Report.

- The viability assessment does not rely on the ability to implement permission 13/000712/AS.
- The site value has been informed by the council's Local Plan Viability Report Updated (2017).
- The inputs have been informed by industry benchmark figures from Building Cost Information Services. All other associated cost assumptions (i.e. external costs, professional fees etc.) are taken from the Council's Viability evidence base where possible, with remaining inputs based on reasonable industry benchmark assumptions.
- The viability assessment and inputs have been independently reviewed on behalf of the Council.
- The assessment methodology is consistent with the NPPF 2019.

Parking

The proposals seek to increase the number of parking spaces by 17.



Not all residential units have a dedicated parking spaces but it is important to note that this is a town centre site, located near the station and will run a car club plus other travel plan measures that encourage cycle and public transport use secured through negotiations. Kent Highways and Transportation are satisfied with the parking provision

Disabled parking spaces for residents and visitors will comply with parking standards and will be covered by conditions. There are also nearby public car parks and on street parking in Tannery Lane that provide disabled parking on site

Details of how the car parking will be allocated to each flat will be covered by condition.

Visitors can park in the public car parks that are within easy walking distance of the site.

Hard Landscaping

Conditions will be amended to ensure detailed design of the steps will include markings and suitable provision of handrails.

Landscaping

A soft landscaping condition will be added to the conditions

- (d) **18/01256/AS – Whist House, Tannery Lane, Ashford, TN23 1PL - Demolition of two pre-1948 brick buildings. Internal and external restoration works to Whist House relating to its restoration to provide a 4-bed dwelling (associated to corresponding planning application 18/01168/AS for redevelopment of the site to provide to provide 251 residential units within four apartment buildings and works).**

No further updates

- (e) **18/00759/AS – Land to the South of Sicklefield House, Ashford Road, St Michaels, Tenterden, Kent - Outline planning permission with all matters reserved except for access from the A28 for up to 30 residential properties, open space and associated access into the site.**

KCC Highways and Transportation have confirmed they no objection to the revised access plan which shows the additional footway required to connect the site to the existing footway to the south.

The red line demarking the extent of the application site has been amended to omit the existing access serving Pope House Farm to the south as this is not required to serve the proposed development. This is now included within the blue line as it is within the ownership of the applicant.

- (f) **18/01601/AS - Site B adjacent Wyvern Way, Land south of M20 and east of, Henwood, Ashford, Kent - Erection of 29no. Light industrial/business units;**

two storey creative laboratory including space for the development of new dance productions, administrative space and shared use cafe; new access and road layout and associated hard and soft landscaping.

1. The application description has been amended to include B2 and B8 uses which relate to general industrial uses and storage and distribution. Previously the description simply referred to industrial and business uses rather than specifically listing the use classes.

The application description now says:

Erection of 29no. light industrial/business units (B1 (a), (b) and (c), B2 and B8) ; two storey creative laboratory including space for the development of new dance productions, administrative space and shared use cafe; new access and road layout and associated hard and soft landscaping.

Condition 23. which relates to the proposed uses has also been updated.

These changes allow greater flexibility and are in line with policy S23 of the Local Plan which allocates the Henwood Industrial Estate for B1, B2 and B8 uses.

- (g) 19/00054AS - Victoria Park, Jemmett Road, Ashford, Kent - Extension to existing nursery building to create new cafe provision. Improvements to entrances on public highway, resurfacing and extension to existing car park, new CCTV, lighting columns adjacent to new cafe (+4m in height), new feature play equipment (+4m in height).**

The following consultation responses and representations have been received since the report to committee was prepared.

- KCC Biodiversity – Recommend a list of conditions should the scheme be granted planning permission.
- Southern Water – No objection subject to relevant conditions and informatives (relating to the protection of public sewers)
- South Ashford Community Forum – Support with general comments summarised below:
 - Questioning the height of the proposed nursery block extension.
 - Questions if the visibility splays are acceptable.
 - States that there should be parking restrictions at the entrance.
- Friends of Victoria Park – Support with general comments summarised below:
 - The plans would improve the park for the use of residents.
 - There would be improved opportunities for ecological conservation.
 - More parking restrictions should be considered.
 - Enhanced visibility splays would be safer for pedestrians.

Neighbours – 1 letter of objection, summarised below:

- The existing park is Victorian and a modern approach would not be in keeping.
- Trees should not be cut down as private view would be negatively affected.
- Parking would not improve as not enough car park spaces are proposed.
- On-street parking has reduced the road to a single lane.

[HoDM&SS note: KCC Highways were consulted on matters of highway safety and did not object to the proposals.]

In light of KCC Biodiversity comments, the recommendation set out in paragraph 59 in the report (page 316 of the agenda) should now be amended to say:

Permit

- (A) Subject to the following Conditions and Notes (with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Managers to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)

Additional conditions relating to ecology and sewerage are also proposed.

APPENDIX 1





