



Planning Committee

Wednesday the 16th September 2020 at 5.00pm

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. Requests for Deferral/Withdrawal
4. Schedule of Applications
- (a) **19/01327/AS** – Wye College Land and Buildings, Olantigh Road, Wye Kent TN25 - Residential Development of 40 dwellings with associated access road, car park and open space.

Consultees:

Page 16: Environment Agency:

Maintain their objection confirming that whilst the Preliminary Risk Assessment concludes that risk to groundwater is low to moderate, and recommends an intrusive site investigation to identify potential contamination. They have no objection in principle to the use of infiltration drainage but only in clean, uncontaminated areas as confirmed by an appropriate site investigation. We therefore maintain our objection to infiltration drainage.

Accordingly a further deemed reason for refusal is proposed:

Insufficient information has been submitted to demonstrate that the proposed infiltration drainage scheme would not harm groundwater sources, contrary to the provisions of Policies ENV8 and ENV9 of the Ashford Local plan 2030 and the provisions of the National Planning Policy Framework.

Page 31 Para 59: KCC Ecologist:

An updated assessment from this consultee in response to additional information has not been received and a further deemed reason for refusal is proposed:

That insufficient information has been submitted to demonstrate that the translocation of reptiles to the Grazing Meadow could be implemented in a manner that would satisfactorily compensate for the loss of existing habitat. This would be contrary to the provision of Policy ENV1 of the Ashford Local Plan 2030 and the provisions of the National Planning Policy Framework.

Page 17: Representations: 1 Additional letter of objection supporting the resolution to refuse and expressing concerns about the piecemeal development of the wider WYE3 site, access concerns and concerns about impacts arising from the position of the site adjacent to the North Downs Way.

Page 98: Heads of Terms:

Waste: Delete reference to the new waste floor to the Ashford waste centre and insert reference to a project for a new waste centre at Folkestone and Hythe
This is necessary to relieve pressure on the Ashford Waste and Recycling Centre which currently processes waste for Folkestone and Hythe.

- (b) **19/01330/AS** – Former ADAS Offices, Olantigh Road, Wye, Ashford TN25 5EL - Demolition of offices and redevelopment with 20 dwellings and associated garages, parking and internal estate roads and open space

1 Additional letter of representation supporting a resolution to refuse and expressing concerns about the distance of the site from the village resulting in greater car usage and the principle of development in relation to the distance from the village and the determination of piecemeal development in isolation of the wider site.

- (c) **19/01669/AS** – Smallhythe House, Tawney Bank, Oakengates, Woodberry and Micken Lodge, Smallhythe Road, Tenterden, TN30 7LN - Redevelopment to form 53 no. apartments for older people (60 years of age and/or partner over 55 years of age), guest apartment, communal facilities, access, car parking and landscaping.

Page 139/140:

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

Affordable Housing:

Deferred Contributions Mechanism: The sum to be confirmed

Adult Social Care

Amend the total sum payable to £7,784.64 to reflect the reduction of one unit in this scheme

The Trigger Point should say: "From any Deferred Contributions received ... as identified by the viability assessment"

Community Learning

Amend total sum payable to £870.26 to reflect the reduction of one unit in this scheme

The Trigger Point should say: "From any Deferred Contributions received ... as identified by the viability assessment"

Health Care

Delete monies for each individual dwelling and substitute a total sum of £34,450.

The Trigger Point should say: "From any Deferred Contributions received ... as identified by the viability assessment"

Libraries:

Add the total sum payable to £2,938

The Trigger Point should say: "From any Deferred Contributions received ... as identified by the viability assessment"

Page 141 Tale 1 Heads of Terms for Section 106 Agreement/Undertaking

Add additional Clause:

To limit Occupation to those over 60 (or partners over 55) only.

Necessary: To secure use in accordance with the standards applicable to this form of housing

Directly Related: Relevant to the form of accommodation for which permission is sought

Fairly and Reasonably related in scale and kind: Related in scale and kind only to the accommodation for which permission is sought.

Page 145 Add the following:

AND:

That the Strategic Development and Delivery Manager and the Development Management Manager be delegated authority in consultation with the Director of Law and Governance to handle the appeal; to enter into discussions with the appellant and others regarding planning conditions, section 106 obligations and other matters as necessary or beneficial; to agree arrangements providing for all appropriate obligations to be payable.

- (d) **19/01597/AS** – The erection of 216 residential units comprising 207 apartments and 9 townhouses (C3) and commercial floorspace comprising 3 commercial units (Units A, B and C) for a flexible range of uses (A1, A3, A4, A5, B1, D1 and D2) and roof top restaurant, with associated access and landscaping.

Consultations

Central Ashford Community Forum, the following comments were received on 10th September;

We note the viability study submitted by the developer with the amended plans. We are concerned with the developers desire to decrease or eliminate the S106 contributions they provide as part of this development. This development with the addition of 216 residences in this area of Ashford will put a strain on local infrastructure and amenities. To allow this development to move forward without offsetting its impact on the local communities through the use of S106 funds puts an unacceptable burden on current and future Ashford residents to address this shortfall.

While the height and bulk of the design have been slightly modified through the amended plans, we still feel more needs to be done to ensure the development does not negatively dominate the city scape of Ashford.

[SDDM comment – The viability issues are dealt with in section (g) of the main Assessment section, on pages 190-193 and para 68-86. of the Committee Report. The design issues are covered in the first part of the assessment section p174-179]

Planning Issues

Refuse - A discrepancy in the bin store measurement on the submitted plans have been identified by the applicant. The submitted plans and information suggest that the bin store is not 431 sq. metres and is smaller. Environmental Contracts have advised previously that the bin store should measure no less than 398 sq m. Since the scheme is for 207 units rather 216 units, I have agreed with ABC

Environmental Contracts team to amend the condition requiring a minimum refuse bin storage area of 399sqm.

Allocated Parking - The scheme still proposes the same 200 car parking spaces. This originally equated to a parking ratio of 0.9 spaces per unit, but with the reduction of 7 units, the new parking ratio is slightly better at an average of 0.93 parking spaces per unit.

The residential parking spaces are not currently proposed to be allocated to units at this stage. A condition (36) has been recommended that will require a car parking strategy to be submitted for the management and allocation of car parking spaces. I recommend that this condition should state that no flats can be allocated more than one car parking space unless agreed in writing with the LPA.

The commercial units will not have any car parking spaces allocated for staff or customers being on a constrained site in the town centre. There are car parks located within very easy walking distance of the site.

Kent Fire & Rescue - Kent Fire & Rescue Service have not received details of the dry riser they requested due to the access restrictions on the site. They do not presently have the resources to comment on this yet. Whilst this is principally a matter that will be determined under Building Regulations, a condition is proposed to agree this detail in writing with the LPA.

KCC Structures - Due to proximity of the proposed development to a highways retaining wall along the corner of Beaver Road and Avenue Jacques Fauchaux, a condition and a section 278 high works standard informative is recommended. This will require further details to be provided and discussed with the LPA and relevant teams at KCC at an early stage. This will also be covered off through a KCC's technical agreement process.

Southern Water - Comments have been received again reiterating the need to make sure the development does not have an impact on the existing sewers. This was dealt with in the original June 2020 report (on page 300) and will be covered by conditions.

Hours of opening - commercial units – 2 additional conditions are recommended to secure appropriate hours of use for the commercial units that balance flexibility of operators and customers with the amenities of local residents. The opening hours for the restaurant and cafe units (A3 use class) or any future bars (A4) uses on this site should be the same as the nearby Curious Brewery.

- Monday to Thursday 09:00 - 23:00
- Friday to Saturday 09:00 - 24:00
- Sunday / Bank Holidays 09:00 - 23:00

For all other potential commercial uses encompassed within the range of uses applied for, a condition limiting the opening of these units to between 8am and 9pm (Monday- Saturday) and 10am-4pm Sundays / Bank Holidays is proposed. This includes uses such as A1(shops), A5 (hot food takeaway), B1(business), D1 (Non-residential Institutions) and D2 (Assembly and leisure).

- (e) **19/01788/AS** – Land between Woodchurch Road and, Appledore Road, Tenterden, Kent - a) Outline application for the development of up to 250 residential dwellings (40% affordable) including the creation of access points from Appledore Road (all modes) and Woodchurch Road (pedestrian and cycle only), and creation of a network of roads, footways, and cycleways through the site.

Provision of open space including children's play areas, community orchards, sustainable urban drainage systems, landscape buffers and green links all on 12.35 ha of the site. (Matters for approval: Access) b) Full planning permission for the change of land use from agricultural land to land to be used as a country park (8.66 ha), and land to be used as formal sports pitches (3.33 ha), together with pavilion to serve the proposal and the surrounding area. Including accesses, ancillary parking, pathways, sustainable urban drainage systems and associated landscaping.

6 further neighbour representations have been received all objecting to the application.

Many of the points are covered in the consultation section of my report. Some additional comments include.

- (i) There are large numbers of empty office blocks, old yards and derelict sites that could be repurposed for accommodation and enhance the Town's appearance rather than destroying unspoilt countryside.

 - (ii) Their field is next to the new football pitch (field F14) that will be used by members of the public resulting in privacy and security objections. There will be a need for secure fencing along the boundary.
- (f) **20/00837/AS** – 2 Marlborough Way, Kennington, Ashford, Kent, TN24 9HH - Two storey extension
- No updates.
- (g) **20/00304/AS** – Eastern Park of Site of Pluckley Brickworks, Station Road, Pluckley Kent - Erection of 6 residential dwellings with access off Station Road, together with associated parking and landscaping
- No updates.

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