



## AGENDA

### PLANNING APPLICATIONS COMMITTEE

**Tuesday, 18th August, 2009, at 10.00 am**  
**Council Chamber, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Andrew Tait**  
Telephone: **01622 694342**

*Tea/Coffee will be available from 9:30 outside the meeting room*

#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

#### **A. COMMITTEE BUSINESS**

1. Membership
- A1 To note the appointment of Mrs V J Dagger and Mr R A Pascoe to the Committee in place of Mr K Pugh and Mrs P A V Stockell.
2. Substitutes
3. Declarations of Interests by Members in items on the Agenda for this meeting.
4. Minutes - 21 July 2009 (Pages 1 - 8)
5. Site Meetings and Other Meetings

#### **B. GENERAL MATTERS**

#### **C. MINERALS AND WASTE DISPOSAL APPLICATIONS**

1. Application TM/09/1414 - Variation of Condition 4 of Permission TM/04/2028 to allow time for completion of quarry restoration until 30 November 2010 at Workhouse Quarry, Workhouse Road, Ryarsh; Gallagher Aggregates Ltd (Pages 9 - 16)

#### **D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL**

1. Proposal CA/09/702 - New slip road linking the existing A28 Thanington Road to the existing A2 dual carriageway to provide access onto the A2 London bound from the Wincheap and Thanington Without area, including demolition of former community centre building, relocation of existing BMX track and formalisation of parking spaces for existing community centre building at A28 Thanington Road and A2 Canterbury By-pass, Thanington Without, Canterbury; KCC Major Projects (Pages 17 - 46)
2. Proposal CA/09/680 - Partial demolition of existing school buildings and alterations and extension to form a multi-use sports arena and activity hall, and creation of additional car parking spaces at Herne Bay High School, Bullockstone Road, Herne Bay; Kent Local Education Partnership 1. (Pages 47 - 72)

3. Proposal AS/09/460 - Victoria Way Initial Phase. Single carriageway (2-way) with footways between the existing Leacon Road and Victoria Road , Ashford; Kent Highways Services (Pages 73 - 104)
4. Proposal AS/09/102 - Twelve 1-bed supported apartments at Ashford Disabilities Opportunity Service, St Stephen's Walk, Ashford; Kent Adult Social Services. (Pages 105 - 126)
5. Proposal GR/09/440 - A2 Activity Park Scheme consisting of an outdoor activity park including car parking, pavilion and associated buildings, cycle tracks, footpaths, boundary treatments and landscaping on the A2 Corridor and adjacent agricultural land at land between the new A2 Watling Street from the Pepper Hill Junction to the Marling Cross Junction, Gravesend; Kent Highways Services. (Pages 127 - 164)
6. Proposal SW/09/513 - New detached single storey timber clad dining hall with ramped access, playground extension and pond at lower Halstow Primary School, School Lane, Lower Halstow; Governors of Lower Halstow Primary School (Pages 165 - 178)

#### **E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS**

1. County matter applications
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. Screening opinions under Environmental Impact Assessment Regulations 1999
5. Scoping opinions under Environmental Impact Assessment Regulations 1999 (None)

#### **F. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

##### **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Peter Sass  
Head of Democratic Services and Local Leadership  
(01622) 694002

*(Please note that the background documents referred to in the accompanying papers may be inspected by arrangement with the Departments responsible for preparing the report. Draft conditions concerning applications being recommended for permission, reported in sections C and D, are available to Members in the Members' Lounge.)*

Monday, 10 August 2009

**KENT COUNTY COUNCIL**

---

**PLANNING APPLICATIONS COMMITTEE**

MINUTES of A meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 14 July 2009.

PRESENT: Mr R E King (Chairman), Mr R Brookbank, Mr A R Chell, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr J F London, Mr R F Manning, Mr R J Parry, Mr K Pugh, Mr C P Smith, Mrs P A V Stockell and Mr D S Daley (Substitute) (Substitute for Mr M Robertson)

ALSO PRESENT: Mrs V J Dagger

IN ATTENDANCE: Mr G Wild (Director of Law and Governance), Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr J Wooldridge (Team Leader - Mineral Developments), Mr N Sarrafan (County Transport & Development Manager) and Mr A Tait (Democratic Services Officer)

**UNRESTRICTED ITEMS**

**35. Election of Vice-Chairman**  
(Item A2)

Mr R E King moved, seconded by Mrs P A V Stockell that Mr J F London be elected Vice-Chairman of the Committee.

*Carried Unanimously*

**36. Terms of Reference and dates of future meetings**  
(Item A3)

The Committee noted its terms of Reference and the following future meeting dates:-

Tuesday, 18 August 2009  
Tuesday, 8 September 2009  
Tuesday, 6 October 2009  
Tuesday, 3 November 2009  
Tuesday, 8 December 2009  
Thursday, 21 January 2010  
Tuesday, 16 February 2010  
Tuesday, 16 March 2010  
Tuesday, 13 April 2010  
Tuesday, 11 May 2010  
Tuesday, 15 June 2010  
Tuesday, 27 July 2010  
Tuesday, 17 August 2010 (Provisional)  
Tuesday, 7 September 2010  
Tuesday, 12 October 2010  
Tuesday, 2 November 2010; and  
Tuesday, 7 December 2010.

**37. Minutes - 26 May 2009 and 25 June 2009**  
*(Item A5)*

RESOLVED that, subject to the deletion of Mr R J Parry and Mr C Smith from the list of those present on 25 July 2009, the Minutes of the meetings held on 26 May 2009 and 25 July 2009 are correctly recorded and that they be signed by the Chairman.

**38. Site Meetings and Other Meetings**  
*(Item A6)*

The Committee agreed to the following site visit and training dates:-

- (a) Tilmanstone composting proposal on 18 August 2009;
- (b) Sevenoaks Quarry extension on 8 September 2009 (provisional);
- (c) Northfleet Works – Bulk aggregates import terminal on 6 October 2009;
- (d) Training on 3 November 2009; and
- (e) Coach Tour of permitted development sites on 24 November 2009.

**39. Probity in Planning**  
*(Item B1- Report by Director of Law and Governance)*

RESOLVED that the report be noted.

**40. Application TM/08/3715/R8 - Dust Control Scheme pursuant to Condition 8 of Permission TM/08/3715 at Borough Green Quarry, Wrotham Road, Borough Green, Sevenoaks; Cemex UK Materials Ltd**  
*(Item C1- Report by Head of Planning Applications Group)*

(1) Mrs V J Dagger was present for this item and spoke pursuant to Committee Procedure Rule 2.24.

(2) The Head of Planning Applications informed the Committee of correspondence from Wrotham Parish Council raising a number of questions in respect of the application. A response was given to the questions raised.

(3) Mr M Taylor of Borough Green PC and Mr H Rayner of Wrotham PC addressed the Committee in opposition to the application. Mrs K Hannaford-Hill from Cemex spoke in reply.

(4) The Committee agreed to include an additional condition requiring all loaded vehicles (in and out) to be sheeted. It also asked for an Informative asking Cemex to invite representatives from Tonbridge and Malling BC (Environmental Health) and the Environment Agency to attend the Liaison Group meetings.

(5) RESOLVED that:-

- (a) approval be given pursuant to condition 8 of Permission TM/08/3715 for the dust control scheme subject to conditions including the operator reporting complaints to the Quarry Liaison Group on a regular basis and providing contact details for those wishing to make complaints; the speed limit on internal haul roads being restricted to 10mph with signs being erected to this effect within the site; and all loaded vehicles (in and out) being sheeted; and
- (b) the operator be informed by Informative of the Committee's view that representatives from Tonbridge and Malling BC (Environmental Health) and the Environment Agency should be invited to its Liaison Group meetings.

**41. Application DA/09/364 - Variation of Conditions 6 (infilling restoration) and 15 (Noise) of Permission DA/98/805/MR27 at Stone Pit II, St James Lane, Greenhithe, Dartford; Stone Pit Restoration Ltd**  
*(Item C2- Report by Head of Planning Applications Group)*

RESOLVED that:-

- (a) permission be granted to the to the variation of Conditions 6 and 15 of permission DA/98/805/MR27 subject to conditions including conditions relating to hours of working (0800 to 1800 Mondays to Fridays, with no operations including deliveries and collections to and from the site on Saturdays, Sundays or Public Holidays, and when working along the eastern boundary 1000 to 1600 on Mondays to Fridays only); operations being undertaken in accordance with the proposed scheme of infilling;, noise limits; submission of noise, dust and vibration monitoring details; and details of final landscaping and restoration; and
- (b) the applicants be advised by Informative that all other conditions imposed under Permission DA/98/805/MR remain in force, and of the requirements of National Grid and EDF Energy in terms of the need to safeguard their interests.

**42. Application SE/08/2141 - Amendment of Condition 3 of Permission SE/00/2739 to allow additional time for completion of development and enable restoration to approved levels and to amend the approved Ecological Management Scheme to reflect a delay in commencement of operations at Greatness Quarry, Bat and Ball Road, Sevenoaks; Cory Environmental Ltd**  
*(Item C3- Report by Head of Planning Applications Group)*

(1) Mr G A Horne and Mr J F London made declarations of personal interest in respect of this item.

(2) Correspondence from Sevenoaks Town Council objecting to the application was tabled.

(3) The Head of Planning Applications Group informed the Committee of correspondence from Mr N J D Chard, the Local Member supporting the recommendations.

(4) RESOLVED that:-

(a) subject to the applicant entering into and satisfactory completing a Section 106 Agreement (and paying reasonable legal and administrative costs and disbursements incurred by the County Council) permission be granted to the proposed variation of Condition 3 of permission SE/00/2739 and the proposed amendment to the approved Ecological Management Scheme subject to Condition 3 being reworded as follows:-

“ Unless otherwise approved in writing by the County Planning Authority, all waste treatment and disposal operations shall cease by 15 August 2017 and the site shall be restored in accordance with details approved pursuant to condition (10)(a) of this permission on 7 October 2002 by 15 August 2017”; and

(b) the applicant be reminded that all other conditions imposed under Permission SE/00/2739 remain in effect.

**43. Application CA/09/341 - Motor control centre kiosk and vent stack as part of sewer upgrade works at Maxted Court, Highfields View, Herne Bay; Southern Water Ltd**

*(Item C4- Report by Head of Planning Applications Group)*

The Head of Planning Applications Group informed the Committee that this application had been withdrawn.

**44. Application AS/09/530 - Wastewater pumping station, including construction of a motor control centre kiosk, sub station kiosk, standby generator and steel palisade fencing at Land to south of Alsops Road, Willesborough, Ashford; Southern Water Ltd**

*(Item C5- Report by Head of Planning Applications Group)*

RESOLVED that:-

(a) permission be granted to the application subject to conditions including the standard time condition; noise controls; construction hours; details of parking and loading arrangements; measures to prevent mud or debris on the highway; and details of methods of disposing of surface water within the site; and

(b) Informatives sought by the Environment Agency regarding groundwater vulnerability, drainage, land contamination and storage of fuels and chemicals be attached to any permission.

**45. Proposal TW/09/79 - Fenced and floodlit synthetic multi-sports pitch with associated car parking and landscaping at Tunbridge Wells Grammar School for Boys, St John's Road, Tunbridge Wells; Governors of Tunbridge Wells Grammar School for Boys**

*(Item D1- Report by Head of Planning Applications Group)*

(1) Mr J F London made a declaration of personal Interest as his grandson was a pupil at the School.

(2) The Head of Planning Applications Group reported the further views of Mr Edwards, a local resident asking for further restrictions on hours of use.

(3) RESOLVED that permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the School's changing facilities being kept available for use after school hours, unless another arrangement is secured; details of the cycling storage being submitted for approval and then installed before the commencement of use of the pitch; the new car park not being used until the floodlit pitch is built; the development being carried out in accordance with the lighting and other details specified in the application and not varied without prior written approval of the County Planning Authority; no trees being removed without County Planning Authority approval and a Tree protection plan being submitted; the submission of Landscaping scheme details, including bund details (existing vegetation along the bank to the east of the pitch should be strengthened through further planting and additional planting should be incorporated along the existing bank to the south of the pitch and extended along the western extent of the pitch), illustration of the changes in topography in relation to the existing banks and existing vegetation; Light levels not exceeding the levels applied for; Hours of use for the pitch and the floodlighting being restricted to between 0900 and 2200 hours Mondays to Fridays, 1000 and 2000 hours on Saturdays, 1000 and 1800 hours Sundays and no use on Bank Holidays; Lighting not being in use when the pitch is not in use; Community Use agreements being submitted and approved; and the development being carried out in accordance with the permitted details.

**46. Proposal SH/09/418 - Modular building for use as a dining hall including associated groundwork at Pent Valley Technology College, Surrenden Road, Folkestone; Governors of Pent Valley Technology College**

*(Item D2- Report by Head of Planning Applications Group)*

(1) Mrs M Brown, a local resident addressed the Committee in opposition to the proposal. Mrs J Rose (Business Manager at Pent Valley School) spoke in reply.

(2) The Committee agreed to the inclusion of an Informative asking the School to consider the installation of semi-fixed seating.

(3) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the building being removed from the site by the end of 2012; no amplified or musical equipment being used in the building; the building only being used between 0800 and 1800 hours

on weekdays and in term time only; and the development being carried out in accordance with the permitted details; and

- (b) the applicants be advised by Informative about the boundary planting along the southern boundary to help with the ongoing conflict with the neighbours, and of the Committee's view that semi-fixed seating should be installed in order to reduce noise levels.

**47. Proposal SE/09/889 - 6KW wind turbine with 15m mast on the front lawn of college buildings and installation of solar photovoltaic panels on college flat roof at Swanley Technology College, St Mary's Road, Swanley; Governors of Swanley Technology College**

*(Item D3- Report by Head of Planning Applications Group)*

- (3) RESOLVED that permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit; white finish of the blades and turbine head; and the development being carried out in accordance with the approved details.

**48. Proposal MA/09/594 -Siting of a mobile catering van at Teston Bridge Country Park, Teston Lane, Teston, Maidstone; KCC Country Parks Service**

*(Item D4- Report by Head of Planning Applications Group)*

- (1) Correspondence from Teston Parish Council was tabled
- (2) Mrs O Oxley (Chairman of Teston PC), Mrs E Henderson (a local resident) and Mrs F Gooch (the local Borough Councillor) addressed the Committee in opposition to the proposal. Mr L Grover (Area Country Parks Manager) spoke in reply.
- (3) In approving the proposal, the Committee included a condition restricting the Permission to a period of 2 years.
- (4) RESOLVED that temporary permission be granted to the proposal for a period of two years subject to conditions, including restrictions on the hours of use; the development being in accordance with the approved plans; the permission be restricted specifically to the catering van (and menu) applied for within the application; the provision of adequate litter facilities and the area being kept clean and tidy; no advertisements being displayed on the highway; and no music being emitted or played in the van when on site.

**49. Proposal SH/09/440 - Conversion of existing bicycle shed for vocational hairdressing unit for use of Pent Valley Technology College students studying hair and beauty at Morehall Primary School, Chart Road, Folkestone; Governors of Pent Valley Technology College**

*(Item D5- Report by Head of Planning Applications Group)*

RESOLVED that permission be granted to the proposal subject to conditions, including the development being commenced within 3 years; the development



being carried out in accordance with the permitted details; the development being constructed using the materials detailed in the application; and the provision of replacement cycle parking;

**50. Proposal DA/09/583 - Two five-bay mobile classroom units at Craylands Primary School, Craylands Lane, Swanscombe; KCC Children, Families and Education**

*(Item D6- Report by Head of Planning Applications Group)*

(1) Mr R Lees made a declaration of interest as Chairman of Governors of Craylands Primary School. He took no part in the discussion or decision making on this item.

(2) RESOLVED that:-

(a) temporary permission be granted to the proposal subject to conditions, including a temporary consent for the period of 3 years from the date of permission; removal of classroom units at the expiration of the 3 year period and the subsequent restoration of the site thereafter; the development being carried out in accordance with the permitted details; and the use of the mobile buildings being restricted to ancillary teaching accommodation, community use and storage in connection with a one form entry Primary School; and

(b) the applicants be advised by Informative of the concerns raised by the Parish Council.

**51. Proposal SE/09/1028 - Retention of a single storey modular building and installation of a new modular building and link corridor at Milestone School, Ash Road, New Ash Green; KCC Children, Families and Education**

*(Item D7- Report by Head of Planning Applications Group)*

(1) The Head of Planning Applications Group informed the Committee of correspondence from Sevenoaks DC withdrawing its objection to the proposal.

(2) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including the buildings being removed and the site restored within 5 years of the grant of planning permission; and the additional modular unit matching the existing building in colour, style and finish; and

(b) the applicant be advised by Informative that the mobile classrooms have been granted temporary permission on Green Belt land on the basis of very special circumstances which outweigh any potential harm, and on the understanding that the post 16 facilities will be provided off site in the future.

**52. County matters dealt with under delegated powers**  
*(Items E1-E5- Reports by Head of Planning Applications Group)*

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils or Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

SECTION C  
MINERALS AND WASTE DISPOSAL

Background Documents - the deposited documents, views and representations received as referred to in the reports and included in the development proposals dossier for each case and also as might be additionally indicated.

**Item C1**

**SECTION 73 APPLICATION TO VARY CONDITION 4 OF PERMISSION TM/04/2028 TO ALLOW TIME FOR COMPLETION OF QUARRY RESTORATION UNTIL 30 NOVEMBER 2010 (INFILLING TO ORIGINAL GROUND LEVELS OF FORMER SAND QUARRY USING INERT WASTE MATERIALS) – WORKHOUSE QUARRY, WORKHOUSE ROAD, RYARSH**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 August 2009.

Application TM/09/1414 by Gallagher Aggregates Ltd to vary condition (4) of permission TM/04/2028 to allow time for completion of quarry restoration until 30 November 2010: infilling to original ground levels of former sand quarry using inert waste material – Workhouse Quarry, Workhouse Lane, Ryarsh (MR. 666 599)

Recommendation: Permission subject to conditions.

Local Member: Mrs S Hohler

Classification: Unrestricted

**Site**

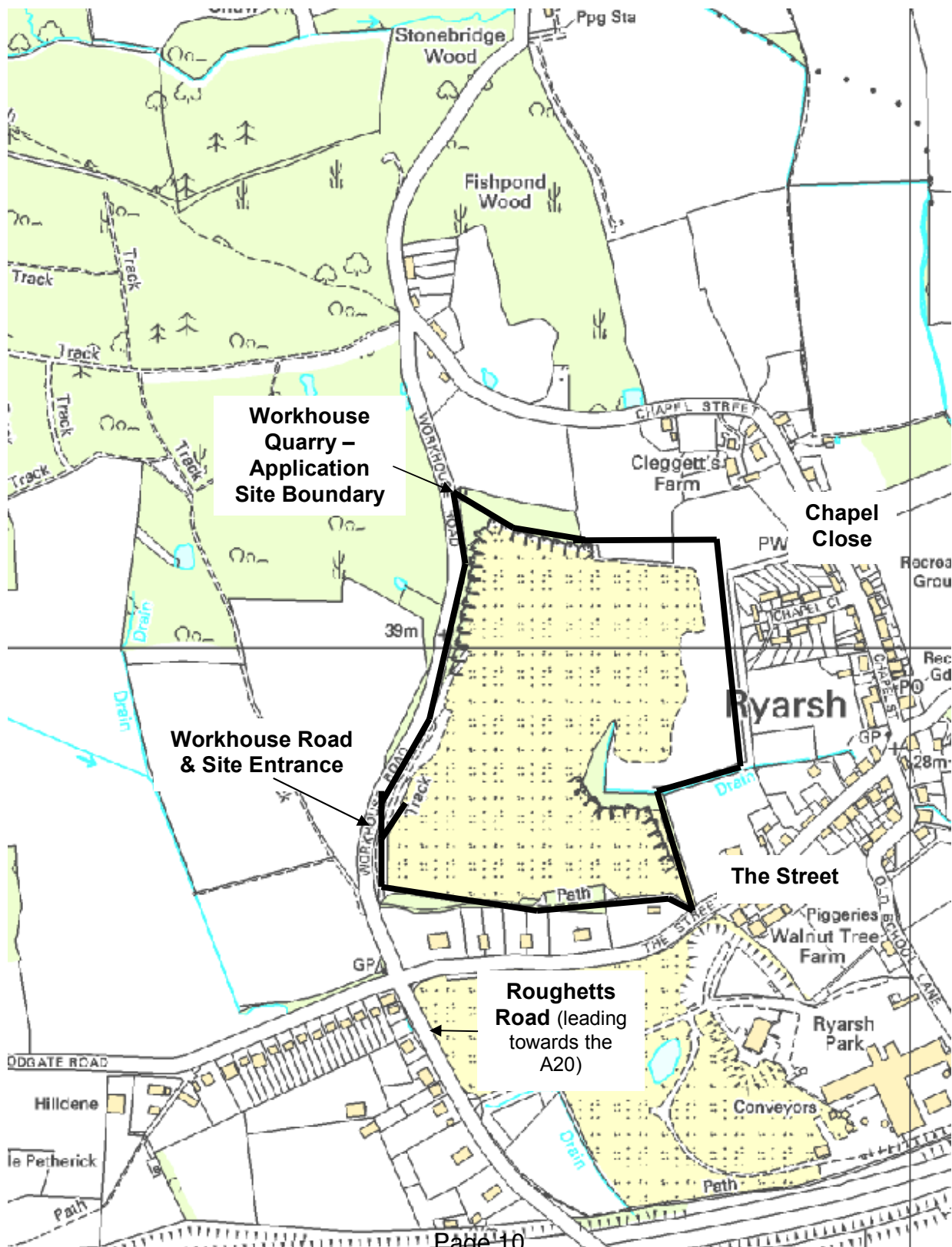
1. Workhouse Quarry is an 11.4 hectare former sand quarry and lies to the west and north-east of the village of Ryarsh. Prior to sand excavation, the site was open agricultural land and playing field. The site is located within a designated Area of Outstanding Natural Beauty (AONB). The closest residential properties to the site are located to the north-east (Chapel Close) and to the south/south-east (The Street). A site location plan is attached.

**Planning Background and Proposal**

2. This former quarry was first granted permission on appeal in 1963 (ref. MK/4/61/661) specifically to enable continuing supply of sand for brickmaking purposes at the nearby Ryarsh brickwork's. A significant extension eastwards was approved in 1987 (ref.: TM/86/1717). The sand was restricted to use at the brickwork's and all sand was transported from the site via a tunnel conveyor to the brickwork's.

**Item C1**

**APPLICATION SECTION 73 APPLICATION TO VARY CONDITION (4) OF PERMISSION TM/04/2028 TO ALLOW TIME FOR COMPLETION OF QUARRY RESTORATION UNTIL 30 NOVEMBER 2010 (INFILLING TO ORIGINAL GROUND LEVELS OF FORMER SAND QUARRY USING INERT WASTE MATERIAL) – WORKHOUSE QUARRY, WORKHOUSE ROAD, RYARSH**



## Item C1

### **APPLICATION SECTION 73 APPLICATION TO VARY CONDITION (4) OF PERMISSION TM/04/2028 TO ALLOW TIME FOR COMPLETION OF QUARRY RESTORATION UNTIL 30 NOVEMBER 2010 (INFILLING TO ORIGINAL GROUND LEVELS OF FORMER SAND QUARRY USING INERT WASTE MATERIAL) – WORKHOUSE QUARRY, WORKHOUSE ROAD, RYARSH**

---

3. Subsequent permissions were granted in respect of the method of working, including that under permission reference TM/96/898, which set a final deadline for completing sand extraction by October 1996. Since then a number of applications have been submitted which have sought to vary the approved restoration scheme, one of which was permitted under the provisions of the Minerals Review Legislation (ref. TM/97/580/MR99). This permission also provided for the importation of some 180,000m<sup>3</sup> of inert waste material in order to provide less steeply sloping quarry sides and to provide falls for drainage across the quarry floor. The permission required operations to be completed by August 2000.
4. In May 2001, Members resolved to grant permission (ref. TM/00/896) for a mid level restoration scheme, involving the importation of an additional volume of inert waste materials. The resolution to grant permission was subject to the applicant entering into a legal agreement in order to secure a restoration bond, which would have been called upon in the event of the applicant failing to complete restoration within a required timescale. The application was later withdrawn when the terms of the legal agreement could not be agreed. However, prior to its withdrawal in anticipation of the permission being issued and to avoid any further delay in restoration, the applicant continued to import materials to the site. As a result a substantial amount of material had already been infilled in phases 1 and 2, alongside the eastern boundary albeit without the benefit of planning permission.
5. In December 2002, a request for Endorsement of action I had taken to regularise infilling operations at Workhouse Quarry, was sought from Members of the Regulation Committee Panel. It was agreed that the Applicant be invited to submit a planning application to regularise infilling of the site which had taken place to date. Subsequently the applicant formally submitted two planning applications, the first to regularise infilling which had already taken place and the second to infill the former quarry to original ground levels (ref.: TM/02/3577). Both applications were granted planning permission in March 2003.
6. To achieve the higher standard of restoration to original ground levels the consent granted under reference TM/02/3577 allowed the importation of some 800-900,000m<sup>3</sup> of inert and restoration soils. Based on the applicants previous experience of operating the site, provided an import of 200,000m<sup>3</sup> per year could be sustained, infill and final restoration was anticipated during 2007. However, this permission was granted with a number of planning conditions requiring amongst other matters, the applicant to undertake highway improvements to a stretch of Workhouse Road via a section 278 legal agreement with the Highway Authority. Conditions also required the applicant to commence infilling by 12 June 2004 and that infilling works should be complete by 31 December 2007. This permission was not implemented for a number of reasons including the need to complete the legal agreement necessary to secure the road improvements to Workhouse Road before any further materials could be imported to the site and the need to obtain an IPPC (Integrated Pollution Prevention Control) permit from the Environment Agency (EA). As a result Gallaghers (GAL) had to seek a variation to a number of conditions under permission TM/02/3577 in order to allow the site to be finally restored.

## Item C1

### **APPLICATION SECTION 73 APPLICATION TO VARY CONDITION (4) OF PERMISSION TM/04/2028 TO ALLOW TIME FOR COMPLETION OF QUARRY RESTORATION UNTIL 30 NOVEMBER 2010 (INFILLING TO ORIGINAL GROUND LEVELS OF FORMER SAND QUARRY USING INERT WASTE MATERIAL) – WORKHOUSE QUARRY, WORKHOUSE ROAD, RYARSH**

---

7. Permission was later granted under reference TM/04/2028 to re-commence infilling of the site and for a corresponding extension of time for the completion of restoration by 30 June 2009. This allowed time for negotiations on the legal agreement to be concluded with the Highway Authority and for the EA to determine and issue the permit.
8. Since the granting of the last permission, Gallaghers have successfully completed final restoration of phases 1-3 of the site (i.e. that part of the site closest to Chapel Close) and have undertaken to complete phase 4 by summer 2009 with near completion of phase 5 closely following behind (i.e. the section of the site closest to residents of The Street). However the timescale for final restoration has now lapsed and the operator has had to seek a further extension of time to finally complete.
9. By the time of this meeting, the operator was hopeful that the completion of phase 4 would have been achieved along with near completion of phase 5, the closest phases of the site to local residents. However given the recent downturn in the economy and specifically the lack of available restoration materials generated from the construction industry that provide the main source of inert infill material required for this site, progress has been lower than anticipated. The operator now seeks an extension of time to complete restoration of the remaining phases, which they anticipate can be completed by November 2010.

### **Planning Policy Context**

10. **National Planning Policies** – The most relevant National Planning Policies are set out in PPG2 (Green Belts, 1995), MPS2 (Controlling and Mitigating the Environmental Effects of Mineral Extraction in England, including Annex 1: Dust, 2005), PPS10 (Planning for Sustainable Waste Management, 2005) and PPS23 (Planning and Pollution Control, 2004).
11. **South East Plan (2009)** – These include Policies SP5 (Green Belts), C3 (Areas of Outstanding Natural Beauty), W14 (high quality restoration and, where appropriate, aftercare of waste management sites).
12. **Kent Minerals Local Plan Construction Aggregates (1993)** - Policy CA18 (noise, vibration and dust).
13. **Kent Waste Local Plan (1998)** - These include Policies W12 (restoration of mineral workings), W18 (noise, dust and odour), W22 (road traffic and access), W31 (landscaping) and W32 (restoration and aftercare schemes)
14. **Tonbridge and Malling Borough Council Local Development Framework Core Strategy (2007)** - These include Policies CP1 (sustainable development), CP3 (Metropolitan Green Belt) and CP7 (Area of Outstanding Natural Beauty)

**APPLICATION SECTION 73 APPLICATION TO VARY CONDITION (4) OF PERMISSION TM/04/2028 TO ALLOW TIME FOR COMPLETION OF QUARRY RESTORATION UNTIL 30 NOVEMBER 2010 (INFILLING TO ORIGINAL GROUND LEVELS OF FORMER SAND QUARRY USING INERT WASTE MATERIAL) – WORKHOUSE QUARRY, WORKHOUSE ROAD, RYARSH**

---

**Consultations**

15. **Tonbridge and Malling Borough Council:** No objection raised subject to an informative stating that the concerns of local residents with regard to the restoration of the site should be investigated and be given due weight.
16. **Ryarsh Parish Council:** No objection raised.
17. **County Transport Operations Officer (Traffic Planning):** No objections raised on highway grounds.

**Local Member**

18. The Local Member, Mrs S Hohler, was notified of the application on 3 June 2009. No comments have been received to date.

**Representations**

19. The application was publicised by the posting of a site notice and the individual notification of 77 nearby properties. Letters of representation have been received from 3 local residents, two of which reside at the same address. Their objections are as summarised as follows:
  - Concerns that the operators are overtipping given the original levels of this site pre-sand extraction.
  - Noise generated by HGVs on site, including from reversing beepers
  - Dust generated from restoration works taking place immediately behind properties in The Street
  - Mud along Roughetts Road

**Discussion**

20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the context of this application, the development plan policies outlined in paragraphs 10 to 14 are of greatest relevance. The national planning policies and associated guidance are also of particular relevance and represent important

**APPLICATION SECTION 73 APPLICATION TO VARY CONDITION (4) OF PERMISSION TM/04/2028 TO ALLOW TIME FOR COMPLETION OF QUARRY RESTORATION UNTIL 30 NOVEMBER 2010 (INFILLING TO ORIGINAL GROUND LEVELS OF FORMER SAND QUARRY USING INERT WASTE MATERIAL) – WORKHOUSE QUARRY, WORKHOUSE ROAD, RYARSH**

---

material planning considerations. Other material planning considerations include existing planning permissions and approvals.

21. This proposal is for a variation of an existing planning permission which currently allows the applicant to carry out restoration of this old mineral working site and restore it to 'original' levels. The principle of allowing importation of inert waste materials in order to achieve restoration to this level has therefore already been established under the existing consent(s) (ref. TM/02/3577 and TM/04/2028). A number of key factors have historically delayed the final restoration of this site. As referred to in para. 6 above the operators experienced a significant delay following the need to secure road improvements to Workhouse Road, which was subject to a section 278 legal agreement and the need to obtain a Permit from the Environment Agency prior to the re-commencement of infilling on site. Once these had been secured unfortunately a significant period of time had lapsed such that the operator was required to seek an extension of time to complete restoration and at the time they were confident that provided suitable restoration material could be sustained at a rate of 200,000m<sup>2</sup> per year the deadline of June 2009 could be met.
22. Earlier this year GAL completed a review of the void remaining to be filled at the quarry and raised early concerns with KCC that they would unlikely to be able to meet the 30 June 2009 restoration date due to the speed and severity of the downturn in the economy, particularly with respect to the construction industry which is their main source of restoration materials necessary to complete restoration at Workhouse Quarry. Whilst significant progress has been made with the completion of phases 1-3 of the site (see *figure 1*) and with phases 4 and 5 currently due for completion this summer, the operators remain confident that provided the market picks up and suitable material becomes available they can meet the required restoration of the remaining phases before the end of November 2010.
23. There have been no objections in principle from consultees to a further extension of time within which to complete final restoration and I am satisfied that the operator is working in accordance with the approved restoration scheme and to the levels required. I am mindful that the delays incurred on the final phases of restoration are outside the operators control and is a common feature being experienced by other operators in similar situations across the County. Whilst local residents have been generally complimentary on the quality of restoration achieved so far in phases 1-3, they have raised a number of concerns particularly in relation to noise and dust on site and mud being carried from vehicles along Roughetts Road.



**Item C1**

**APPLICATION SECTION 73 APPLICATION TO VARY CONDITION (4) OF PERMISSION TM/04/2028 TO ALLOW TIME FOR COMPLETION OF QUARRY RESTORATION UNTIL 30 NOVEMBER 2010 (INFILLING TO ORIGINAL GROUND LEVELS OF FORMER SAND QUARRY USING INERT WASTE MATERIAL) – WORKHOUSE QUARRY, WORKHOUSE ROAD, RYARSH**

---

24. The operator hopes to have completed phase 4 of the site at the time of reporting to Members of the Committee and are currently anticipating that phase 5 will be near completion by the end of summer 2009. Both phases are the areas of the site located closest to local residents. In relation to concerns raised by local residents who live in The Street concerning noise and dust generated from HGV activity on site, the current planning permission requires that noise from operations shall not exceed 55 dB(A)L Aeq 1 hour as measured at the boundary of the site. A condition is already imposed requiring dust suppression and dampening down of any dust from the site as necessary. Given phases 4 and 5 are close to completion, the next stage of restoration would require the operator to move works further north of the site and subsequently further away from local residents which would reduce any noise and dust impacts currently being experienced by local residents residing in The Street. I am therefore satisfied that should Members be minded to grant planning consent, conditions could be imposed on any planning permission which replicate those already established on site and would enable the continued monitoring of noise and dust impacts at the sites boundary and would be consistent with the requirements of Policy W18 of the adopted Kent Waste Local Plan.

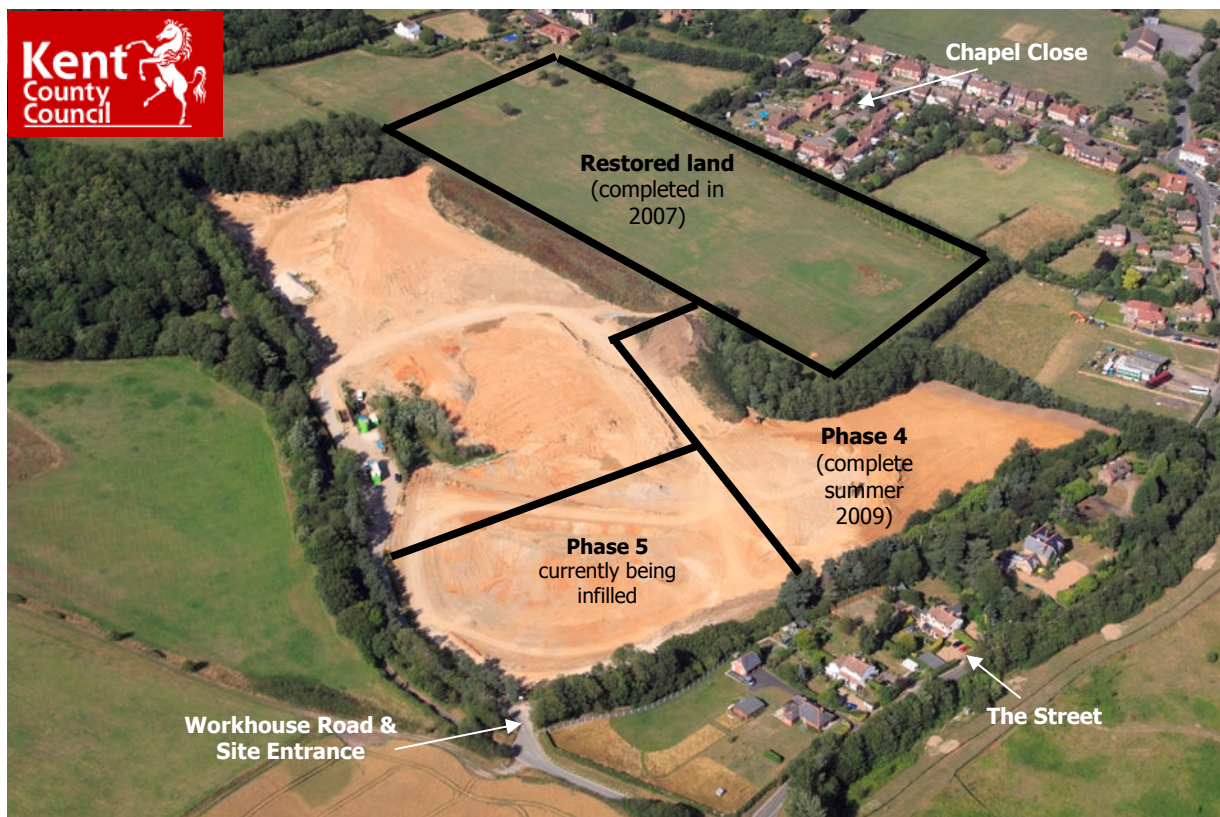


Figure 1

**APPLICATION SECTION 73 APPLICATION TO VARY CONDITION (4) OF PERMISSION TM/04/2028 TO ALLOW TIME FOR COMPLETION OF QUARRY RESTORATION UNTIL 30 NOVEMBER 2010 (INFILLING TO ORIGINAL GROUND LEVELS OF FORMER SAND QUARRY USING INERT WASTE MATERIAL) – WORKHOUSE QUARRY, WORKHOUSE ROAD, RYARSH**

---

**Conclusion**

25. Previous planning permissions considered by Members under TM/02/3577 and TM/04/2028, to restore the site to a higher level or to original levels was considered to represent an improvement within the context of long term visual impact therefore restoration to surrounding ground levels has already been established and supported in principle. I remain satisfied that the proposal is consistent with Policies W14 of the South East Plan and W12 of the Kent Waste Local Plan. The operator has suffered some difficulties meeting the imposed timescales for restoration of this site for a number of reasons outside of his control. Having visited the site on a regular basis it is clear that whilst GAL have been having some difficulties in attracting sufficient quantities of restoration material to the site, the operator is progressing on site as best he can during this difficult time. Since 2007 and the completion of phases 1-3, significant progress has been made in moving towards final restoration of this site as is currently being demonstrated by progress being made in phases 4 and 5. The previous consents were considered against the relevant development plan policies and its full restoration back to original levels was supported by Members. I am satisfied that a further time extension to complete restoration is justified for a further 15 months (until November 2010). I therefore recommend accordingly.

**Recommendation**

26. I RECOMMEND that PERMISSION BE GRANTED subject to conditions covering amongst other matters; infilling and final restoration to be completed by November 2010, hours of working, vehicle number restrictions, implementation of drainage scheme approved, wheel cleaning, noise and dust controls and requiring that upon completion of restoration that reinstatement of Workhouse Road be completed in accordance with Keith Funnell drawing number RQ/L10B received with accompanying letter dated 15 November 2004 as approved on 23 December 2004.

Case Officer: Angela Watts
----------------------------

01622 221059
--------------

Background Documents: See Section Heading
---

SECTION D  
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents - the deposited documents, views and representations received as referred to in the reports and included in the development proposal dossier for each case and also as might be additionally indicated.

## **Item D1**

### **New slip road linking existing A28 to existing A2 London Bound carriageway, Thanington Without, Canterbury – CA/09/702**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 August 2009.

Application by Kent County Council Major Projects for a new slip road linking from the existing A28 Thanington Road to the existing A2 dual carriageway to provide access onto the A2 London bound from the Wincheap and Thanington Without Area, including demolition of former Community Centre building, relocation of existing BMX track and formalisation of parking spaces for existing Community Centre building, at A28 Thanington Road and A2 Canterbury By-Pass, Thanington Without, Canterbury (CA/09/702).

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mr. M. Vye

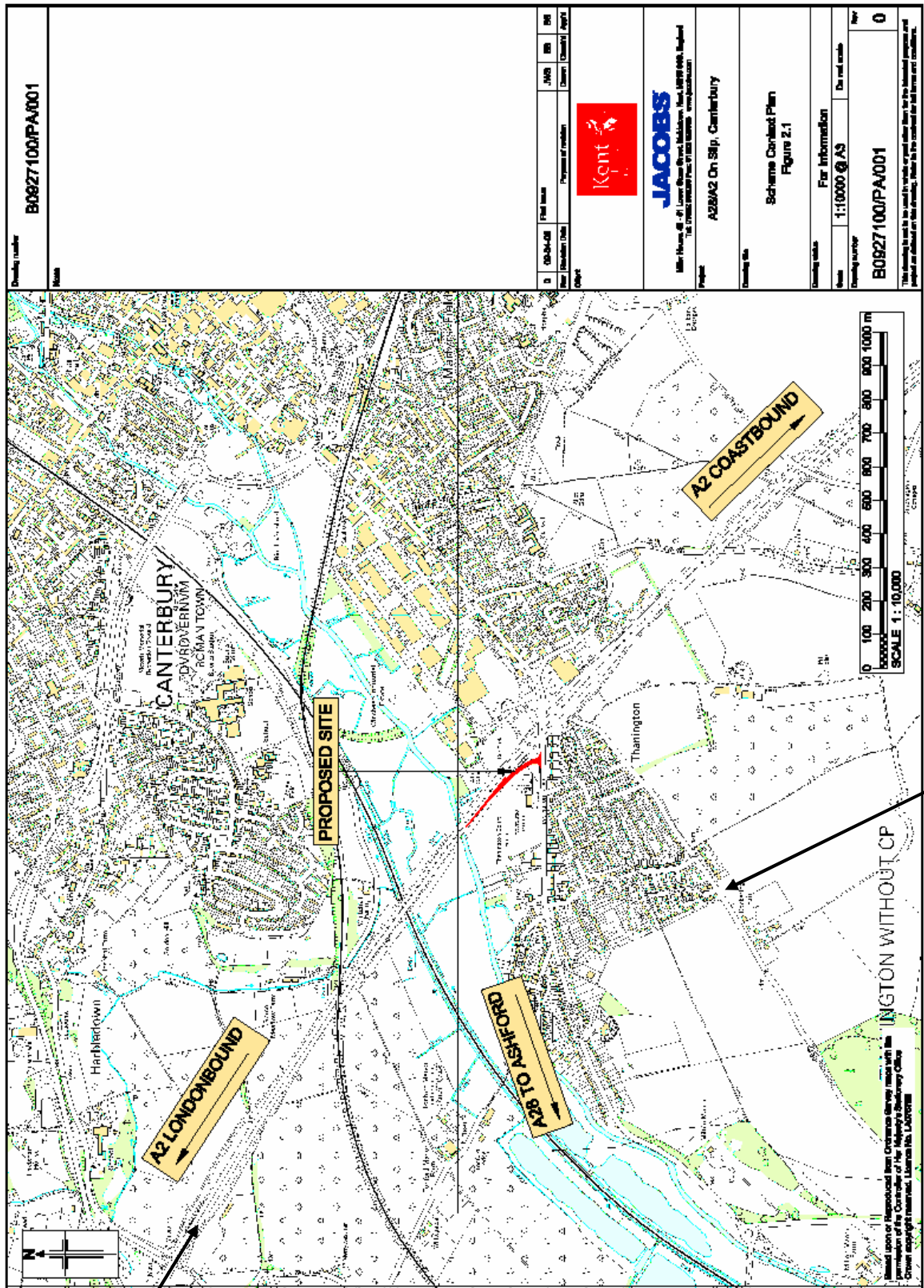
Classification: Unrestricted

#### **Site**

1. The proposed A2 entry slip road is located to the West of Canterbury City centre adjacent to the north (Canterbury bound) side of the A28 in Thanington Without. The application site comprises an area of approximately 1.45 hectares, and contains land currently forming part of the Thanington Recreation Ground, the former Thanington Community Centre building and part of the A28 and A2 roads. The site adjoins the London bound carriageway of the A2 trunk road, and is in close proximity to two existing slip roads which allow traffic to leave and join the A2 from the southbound coastal (Dover) direction. At present there are no facilities for vehicles to enter onto the A2 London Bound from the Wincheap/Thanington area or to leave the A2 Coast Bound to access Canterbury at the Wincheap/Thanington area.
2. Most of the application site comprises a strip of land on the eastern side of the Thanington Recreation Ground. It covers an area occupied by the former Thanington Community Centre, now rebuilt to the west of the application site, together with a BMX track on artificially undulating ground. Immediately adjacent to the application site is a basketball court, skateboard park, children's play area and a large area of flat, open space used as recreation ground. There is an eastbound (Canterbury bound) bus stop located in a lay-by to the front of the former Community Centre building, and a westbound (Ashford bound) bus stop and parking lay-by for approximately 10 vehicles for the occupiers of properties fronting Thanington Road to the south of the site. Most of the land to which this application relates is designated within the Adopted Local Plan as Protected Open Space associated with the Thanington Recreation Ground.
3. The recreation ground supports little tree and shrub vegetation, but is enclosed by mature vegetation belts to the east adjoining the London Bound A2 carriageway and to the north along the Great Stour River corridor. To the south, the boundary of the recreation ground with the A28 is demarcated with hedgerow, and to the west of the recreation ground vegetation belonging to neighbouring residential properties defines

New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702

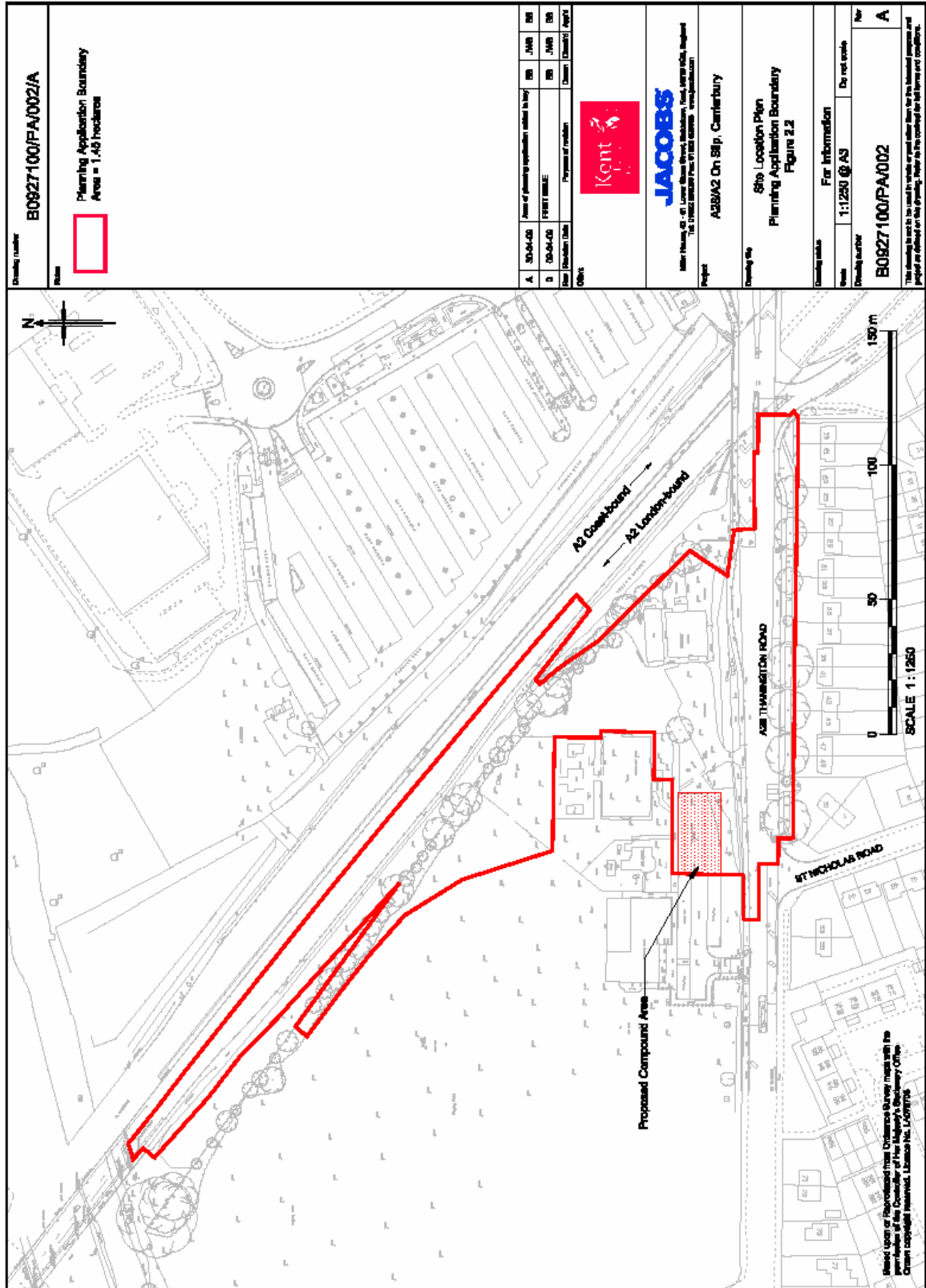
Site Context Plan



A2 trunk road

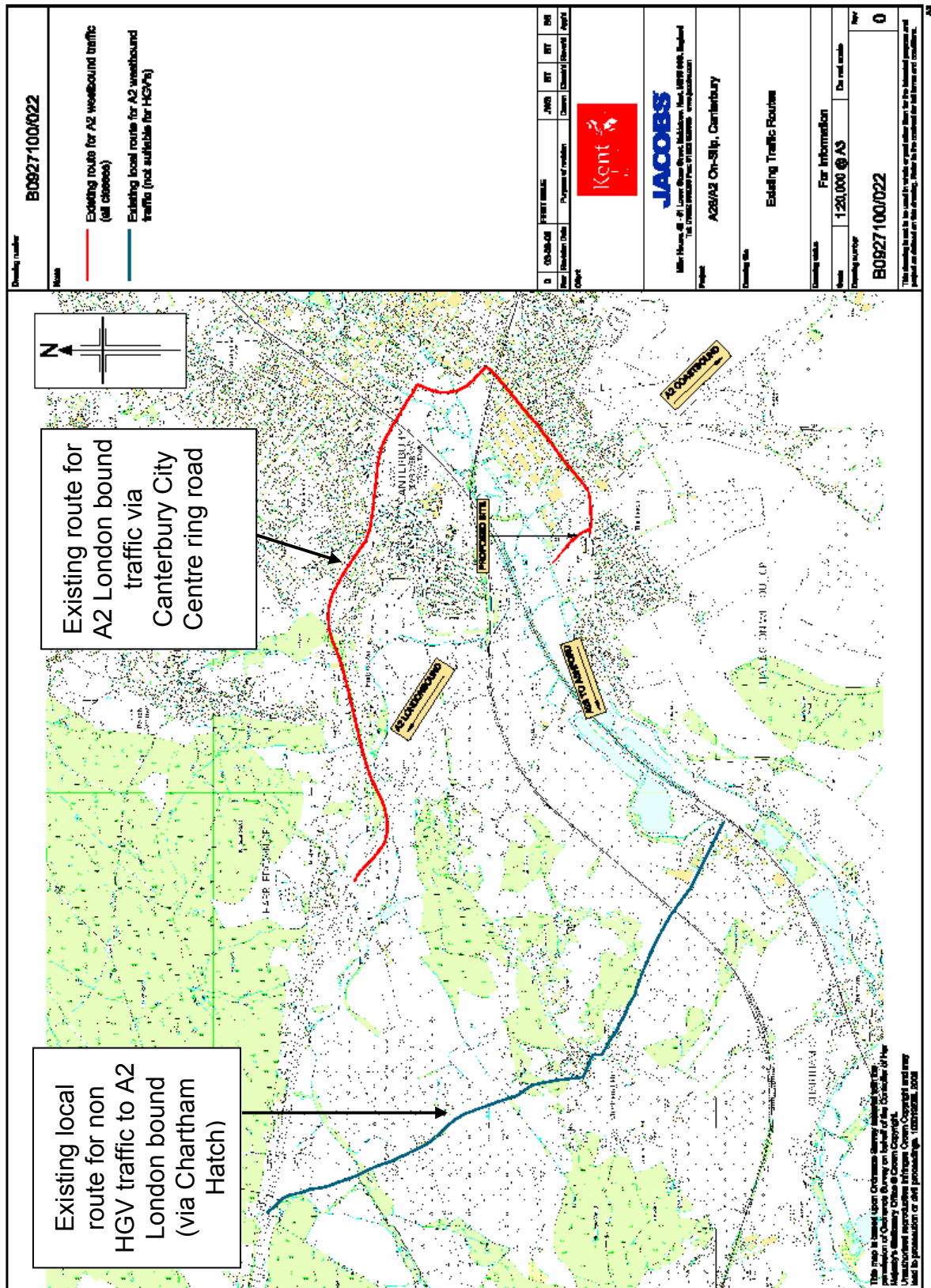
**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

**Site Location Plan**



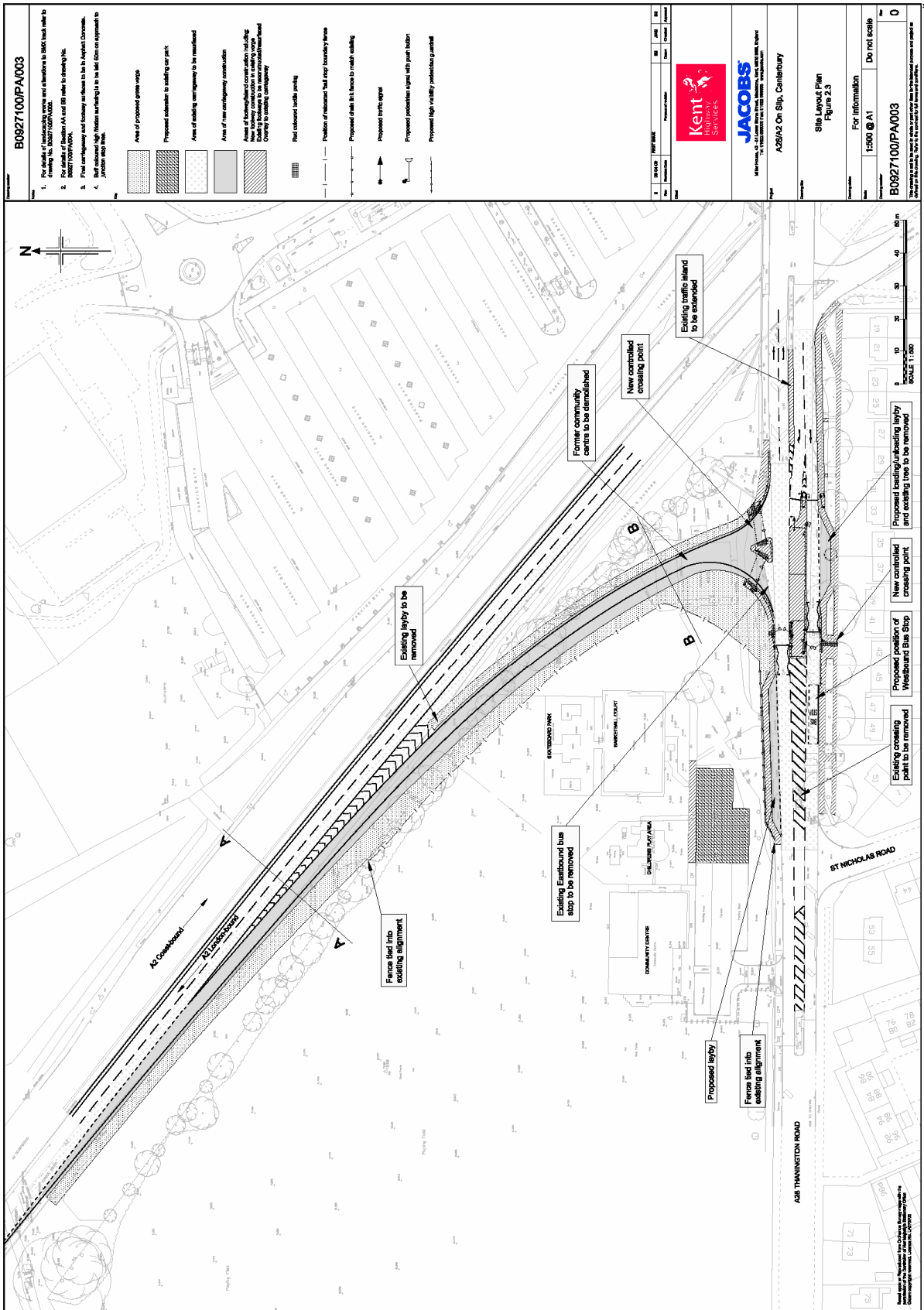
New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702

Existing traffic route through Canterbury City Centre & Chartham Hatch



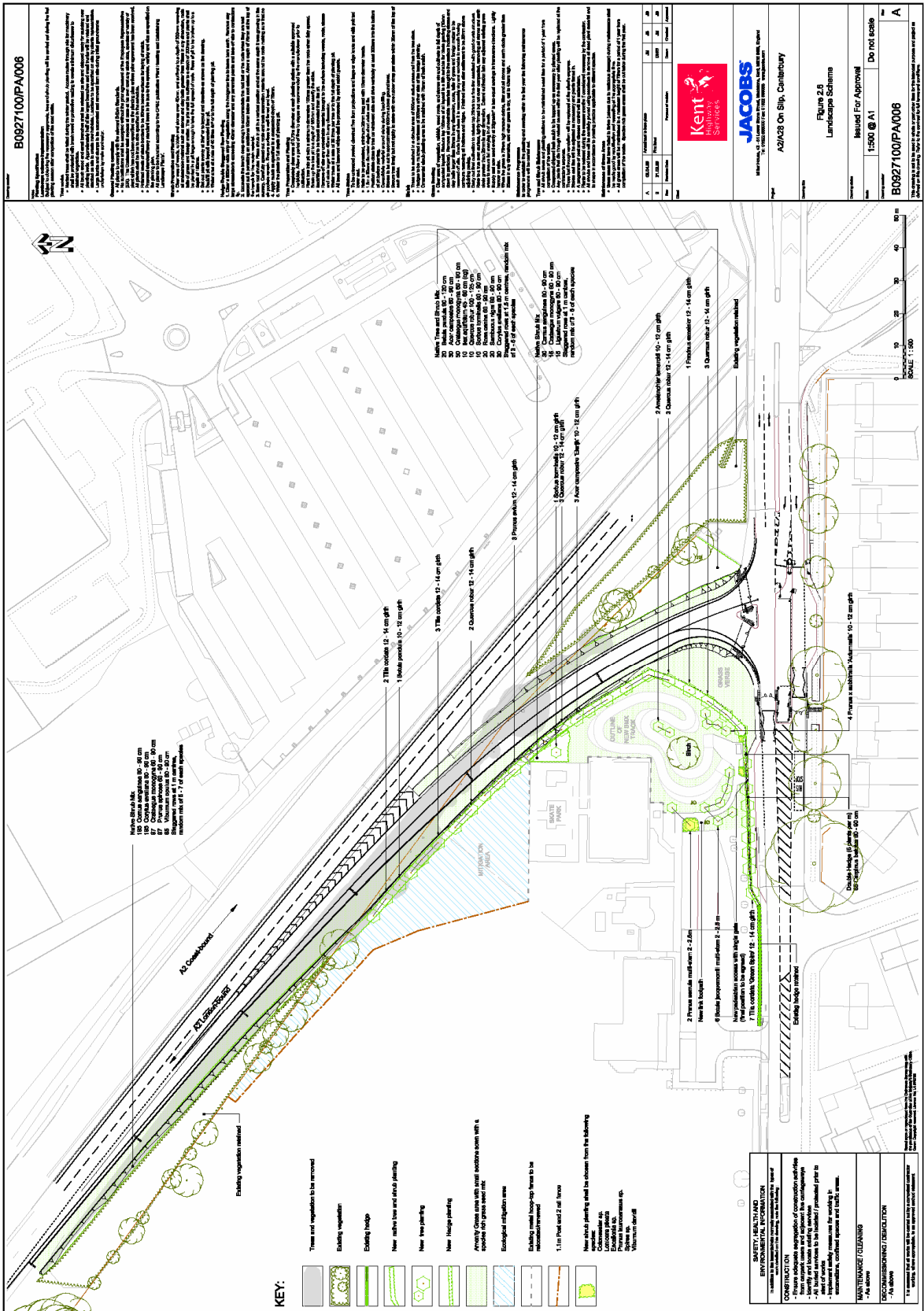
# New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702

## Proposed Slip Road Scheme



New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702

Proposed Landscaping Scheme





**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

the boundary. To the east of the recreation ground the A2 corridor forms a distinct boundary between the residential character of Thanington and the industrial character of Wincheap, which supports a 'park and ride' facility and an industrial estate. *A site context plan is attached on page D1.2, together with a site location plan on page D1.3.*

**Background to Proposals**

4. The proposal has been brought forward through the Local Transport Plan and the Canterbury Action Plan to address congestion and provide better travel choices for people accessing Canterbury City. At present, only limited access arrangements exist for motorists travelling in and out of Canterbury so motorists are required to take inappropriate routes into and through the city road network that suffers from chronic traffic congestion. This congestion is damaging for residents, visitors, the economy and the historic City itself.
5. To begin addressing these problems, it was decided that a limited amount of new road building would be necessary to enable better use of road infrastructure. In particular making more effective use of the A2 trunk road which by-passes Canterbury to the south-east of the City. The A2 currently has surplus capacity with no congestion and is lightly loaded with traffic. Its function in the Trunk Road network is of 'regional significance' rather than national importance and providing access to a regional hub (i.e. Canterbury) is a key objective for a trunk road of this type.
6. Consequently, construction of an entry slip road onto the A2 from the A28 at Wincheap is being proposed. This is the first phase of longer term aspirations for both Kent County Council and Canterbury City Council to develop the road network by improving access to and from the A2 trunk road at Wincheap, plus at Harbledown and Bridge.

**Proposals**

7. The application seeks planning permission for the construction of a new slip road to link the existing A28 to the London bound A2, together with associated works including the demolition of the former Thanington Community Centre building, relocation of an existing BMX track and the formalisation and extension of parking spaces within the new Thanington Community Centre building. The application is accompanied by an Environmental Report, Bat Survey, Badger Survey, Protected Species Assessment, Flood Risk Assessment, Traffic Assessment and Pre-Development Tree Survey. The various aspects of the scheme are outlined in the various sub-sections below:

Slip road design

8. The proposed slip road would extend for a distance of approximately 550 metres between the A28 and the point where it ties in with the A2, including a 3.7 metre running lane and short length of hard shoulder some 3.3 metres wide. An existing lay-by on the London Bound A2 would be removed to accommodate the new slip road.
9. The scheme has been designed to achieve the best possible fit within the physical constraints of the site, namely the River Stour, the A2 and the A28 Thanington Road. To achieve a suitable alignment, both horizontally and vertically, the scheme requires a number of size departures from the standard design requirements. As the A2 trunk road is the responsibility of the Highways Agency (HA), permission for the outline design and design departures was sought from the Highways Agency in August 2006. Approval for the departures was given in September 2006, and Ministerial approval for the scheme

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

to proceed was then subsequently given in December 2007. The acceptance of a reduced specification scheme by the HA has helped minimise the impact on the existing recreation ground and consequently minimises the loss of protected public open space.

10. The main alignment of the A28 would remain unchanged as a result of the proposed scheme, apart from the addition of a new central island, the introduction of two new lay-bys, and some minor alterations to the existing footways. The new raised central island on the main A28 carriageway is required to accommodate a new controlled pedestrian crossing, allowing pedestrians to cross in two stages with the phasing of the signals and also to give protection for right turning vehicles onto the A2. A central island has also been proposed within the junction of the slip road to provide a safe refuge for pedestrians and to help them cross in two stages with the phasing of the signals. It is proposed that the new junction on the A28 would be signal controlled, and would be operationally linked to the three existing junctions at Wincheap in order to manage the flow of traffic as effectively and efficiently as possible.

On street parking

11. The proposal involves the removal of an area of existing lay-by on the southern side of the A28. This lay-by is currently used as an area of on-street parking for residents fronting Thanington Road, and comprises a strip of land adjacent to the existing highway of approximately 50 metres in length, or space for 10 un-marked parking bays (based on adopted Kent Vehicle Parking Standards stipulating each official parking bay should be 5 metres in length when in line to cater for an average size vehicle). The application highlights that it has not been possible to retain on-street parking along the southern side of the A28 given the new road layout proposed. The applicants point out that whilst every consideration has been given to this issue, the existing topography, location of existing trees and safety implications make it almost impossible to achieve.
12. In recognition of potential parking difficulties for some adjacent residents, a restricted 3 metre wide and 13 metre long loading/unloading lay-by is proposed immediately in front of properties on the south side of the A28. It is anticipated that this short-stay lay-by would provide sufficient space to accommodate approximately two delivery vehicles allowing for the drop off/collection of bulky goods to nearby properties. In addition, a new 2.5 metre wide, 40 metre long lay-by is also proposed to be constructed on the north side of the A28, allowing parking spaces for approximately 8 vehicles.

Associated works

13. Alterations to two existing bus stops in the vicinity of the proposed slip road are required. The works involve the eastbound bus stop being completely removed and the westbound stop being repositioned to accommodate the proposed new road layout. It is understood that these changes have already been agreed with the appropriate bus operator(s).
14. In addition, general improvements would also be made to the existing footway and carriageway surfaces within the vicinity of the site, and high friction surfaces would be provided on all approaches to the new junction stop lines. Whilst it is noted that the scheme would be constructed on land that is owned either by the Highways Agency, Kent County Council or Canterbury City Council, it is envisaged that the final ownership of the proposed slip road, and liability for maintenance would be the responsibility of the Highways Agency.

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

15. As part of the proposed ancillary works, the former Thanington Community Centre building which lies on the footprint of the new slip road would be demolished. At present this building is owned by the City Council and occupied by a performing arts school on a short term lease. A new Community Resource Centre and associated car park has been built in recent years to replace the former building which is now at the end of its useful life. An area of earth mounding forming the existing BMX track would also be affected by the proposal, and as such part of this scheme proposes the relocation of this facility to an adjoining site and would involve the construction of a new and improved BMX track facility clear of the slip road. Car parking facilities at the new Thanington Community Centre are proposed to be improved and extended as part of the ancillary works.
16. As the land within the recreation ground is formally designated within the Local Plan as Public Open Space, steps are already underway with the City Council for the acquisition of an area of approximately 2,655 sq. metres to facilitate the implementation of these proposals.

Landscaping

17. A pre-development tree survey has been submitted with the application which includes a full survey of all trees/shrubs within and immediately adjoining the site area. The proposals involve the removal of approximately a 250 metre length of existing semi-mature vegetation belt along the A2, together with some tree/shrub removal surrounding the former Community Centre building and hedgerow bordering the A28. The tree survey which accompanies the planning application states that a total of 26 individual trees and 6 groups of trees (containing a further 24 trees) would be removed as part of the proposed works. All of these trees have been graded in arboricultural terms as either Category C (i.e. of low quality and value) or Category R (i.e. trees which should be removed for sound arboricultural management). A number of existing trees outside of the immediate development footprint would be retained and safeguarded during construction operations as per the current British Standard requirements.
18. A landscaping scheme has been included within the application and proposes a mix of native tree and shrub species along the western and eastern highway boundaries of the new slip road, together within a mix of ornamental species planting within the relocated BMX park area. To the east of the proposed slip road, a triangular section of land adjacent to the old highway boundary would be planted that would extend and complement the existing highway planting. To the west of the slip road between the realigned highway boundary and the A28, the highway boundary is proposed to be reinforced with a native shrub screen interspersed with individual trees. This planting would create a buffer between the recreation ground and the new highway land and would enable a green corridor link to be extended from the retained vegetation through the A28. A native hedgerow would be planted along the realigned A28 road frontage which would link in with the existing road hedgerow and the new shrub belt. The proposal includes large growing trees along the realigned A28 frontage and within the new shrub belt. These trees are proposed to be in keeping with the scale and height of the existing trees and residential properties located on the opposite side of the A28, and would in time assist in visually breaking up the views of the proposed scheme.
19. The relocated BMX park would consist of a track with a number of jumps, similar to those already located at the site. Some material from the existing site would be used to make up levels and created additional mounding. It is proposed that the start, finish and bends of the track would be surfaced in asphalt, and elsewhere the track and jumps would be topped with subsoil or a thin layer of asphalt. It is proposed that planting within

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

the replacement BMX park would consist of small to medium sized light foliage trees with a mix of autumn and spring colour and ornamental bark interest, as the applicant considers that these would frame and visually enhance the relocated BMX park.

Street Lighting

20. The proposal involves alterations and additions to the existing street lighting to ensure that the junction and pedestrian facilities are suitably lit. As part of the design of the scheme, the applicant has relocated existing columns away from existing tree cover on the south side of the A28, improving the lights performance and reducing future maintenance issues.
21. The existing lighting columns on the A28 currently comprise 10 metre high lanterns which provide an orange light. It is proposed that all new lighting columns would be installed to the same 10 metre height, but would be of modern standard and produce a white light which is directed to the road carriageway with minimum light spill.
22. There are currently four existing floodlights within the recreation ground which illuminate the skateboard park and basketball court, and these would not be affected by the proposals. It is noted that no additional lighting is proposed as part of this application for the relocation of the BMX track.

Ecological Assessments

23. The application details that the proposed scheme would have potential impacts on ecological features, including: The Great River Stour; tree/scrub planting along the A2 embankment; slow worms; Pipistrelle bats; hedgehogs and nesting birds. As these potential impacts were deemed to be significant at least within the local environment, the application proposes mitigation safeguarding measures such as pollution control measures, the careful timing of works, appropriate landscaping proposals and the re-location of venerable protected species to new habitat area adjacent to the proposed scheme. With the various mitigation measures proposed, the applicant therefore argues that the overall residual impact of the development to the area's biodiversity is not considered to be significant.

Traffic Assessment

24. A traffic assessment accompanies the planning application, and sets out the justification for the proposals. The application recognises Canterbury as a unique city with a wealth of historic buildings and is recognised as a World Heritage Site, yet notes that the existing road network suffers from chronic traffic congestion across much of the city. It considers that traffic movements within Canterbury are currently severely hindered through limited access onto the A2 trunk road at the Harbledown, Wincheap and Bridge junctions.
25. The scheme has been developed primarily through the Canterbury District Transport Action Plan and Kent Local Transport Plan and aims to optimise the use of the existing trunk road network whilst promoting sustainable travel modes. Therefore, the main objectives of the proposals are to provide better access onto the A2 trunk road to assist in the regeneration of the Wincheap area and to reduce congestion within the inner city ring road network.

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

**Planning History**

26. There is no known planning history relating to this development site which is relevant for consideration in this instance.

**Planning Policy**

27. The key Development Plan Policies summarised below are relevant to consideration of the application:

(i) The adopted 2009 **South East Plan**:

**Policy SP2** – Regional strategies, local development documents and local transport plans will include policies and proposals that support and develop the role of regional hubs (of which Canterbury is identified as one) by, amongst others, giving priority to the development of high quality interchange facilities between all modes of transport.

**Policy CC1** – Seeks to achieve and maintain sustainable development in the region.

**Policy CC4** – Refers to sustainable design and construction.

**Policy CC6** – Refers to sustainable communities and character of the environment.

**Policy CC7** – Ensures that sufficient capacity is made available in existing infrastructure to meet the needs of new development.

**Policy T1** – Amongst other matters, seeks to manage demand on the road network through re-allocating capacity, promoting sustainable modes, parking policy and travel planning.

**Policy T8** – Amongst other matters, seeks to address identified transport bottlenecks and provides a level of service that supports the role of regional hubs as a focus of economic activity.

**Policy T14** – Encourages transport schemes that make the best use of the existing infrastructure asset, promote sustainable travel and reduce the demand by behavioural change. Recognises that as far as possible, the location, design and construction of all new transport infrastructure projects should enhance the environment and communities affected.

**Policy NRM1** – Water supply and ground water will be maintained and enhanced through avoiding adverse effects of development on the water environment.

**Policy NRM4** – Refers to sustainable flood risk management.

**Policy NRM5** – Local planning authorities shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

**Policy NRM9** – Planning proposals should contribute to sustaining the current downward trend in air pollution in the region. Amongst other matters, developments should seek to reduce the environmental impacts of transport and congestion management and encourage the use of best practice during construction activities to reduce levels of dust and other pollutants.

**Policy NRM10** – Traffic management and sound attenuation measures to address and reduce noise pollution will be developed where necessary.

**Policy W1** – Encourages waste reduction methods in development proposals.

**Policy W2** – Sustainable design, construction and demolition.

**Policy S1** – Recognises the role the planning system can play in developing and shaping healthy sustainable communities through community access to amenities such as parks and open spaces, healthier forms of transport and encouraging safer footpath routes.

(ii) The adopted 2006 **Canterbury City Council Local Plan (Saved Policies)**:

**Policy BE1** – The Council will expect proposals of high quality design that respond to the objectives of sustainable development by having regard to, amongst others, the need for the development, accessibility and safe movement within the proposed development, the landscape character and way the development is integrated into the landscape, the conservation of natural features, and the form of the development.

**Policy BE15** – Prior to the determination of applications for development that may affect a known or potential site of archaeological interest, developers will be required to make provision for an appropriate archaeological evaluation.

**Policy NE1** – Where development proposals are being considered for a site known, or likely to have protected habitats or species, developers will be expected to carry out a survey and present proposals for mitigation measures.

**Policy NE5** – Development should be designed to retain trees, hedgerows, woodlands or other landscape features that make an important contribution to the amenity of the site and the surrounding area.

**Policy C1** – In considering the location or control of new development, or the relocation of existing activities, the Council will, amongst other matters, take account of the following principles: controlling the level and environmental impact of vehicular traffic; providing alternative modes of transport to the car by extending provision for pedestrians, cyclists and the use of public transport.

**Policy C5** – The City Council will seek to implement the improvements of the A2 junctions and the Wincheap traffic relief scheme and any development that might prejudice these improvements will be resisted.

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

**Policy C24** – Proposals which would result in the loss of protected open space where, amongst others, where material harm would be balanced against demonstrable need for the development.

(iii) The National planning guidance that is relevant to this application includes:

**Planning Policy Statement 1 – Delivering Sustainable Development**  
**Planning Policy Statement 9 – Biodiversity and Geological Conservation**

**Planning Policy Guidance Note 13 – Transport**

**Planning Policy Guidance Note 16 – Archaeology and Planning**

**Planning Policy Statement 23 – Planning and Pollution Control**

**Planning Policy Guidance Note 24 – Planning and Noise**

**Planning Policy Statement 25 – Development and Flood Risk**

**Consultations**

28. **Canterbury City Council:** The proposal was considered at the Council's Development Control Committee where it was resolved that no objection be raised to the planning application but that the points set out below should be taken into account and satisfactorily addressed before any planning permission is granted:

- That appropriate conditions are imposed relating to protection of wildlife, surface water drainage, contamination and Highway Agency issues;
- That additional mitigation measures be investigated and implemented by Canterbury City Council and Kent County Council working together to achieve further on-street resident parking on the south side of the A28 to offset the loss of parking as proposed.

A letter from the Chief Executive of Canterbury City Council has been received following the outcome of the consideration of the application at the City Council's Development Control Committee. *A copy of the letter is contained in Appendix 1, and sets out further discussions that have taken place between the applicant and Canterbury City Council regarding parking issues.*

**Thanington Without Parish Council:** no comments received to date. Any views expressed ahead of the Committee meeting will be reported verbally.

**Thanington Residents Association:** no comments received to date. Any views expressed ahead of the Committee meeting will be reported verbally.

**Divisional Transportation Manager:** notes that Kent Highway Services were consulted at the scheme design stage and that all highway matters were discussed and agreed at this stage. Therefore, no objection is raised to this scheme.

**Highways Agency:** In principle, content for the A2 Wincheap on-slip proposal to go ahead, subject to the following comments and observations:

- the key aim for providing further slip roads between the A28 and A2 is to relieve congestion within Canterbury City Centre; and it was on this basis that ministers approved the principle of new access points on to the A2. As such it is important to

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

collate evidence to demonstrate that the proposed slip road, when in operation, is behaving as forecast and is contributing to the overall strategy for the junction (i.e. a reduction in traffic travelling through the City). The accompanying Traffic Assessment shows how traffic flows would change along the A2, A28 and A2050 with and without the on-slip, but it is not immediately clear by how much city centre traffic would be reduced. Therefore, a condition requiring a traffic monitoring strategy should be imposed on any forthcoming planning consent;

- The signal junctions on the A28 in the vicinity of the A2 slip roads have been assessed using modelling software. In all scenarios, with or without the proposed London bound on-slip, the A2 off-slip is shown to operate at above 90% saturation. This suggests that this link is close to capacity. Furthermore, in all AM peak scenarios, the queue on the A28 eastbound between the A2 north-bound on and off-slips is longer than its link length. This could block traffic in both directions of the A28 from entering the proposed on-slip. As a consequence traffic on the A2 off-slip could be prevented from exiting the junction, subsequently blocking back onto the main carriageway. A condition directing that no part of the development can commence until a suitable traffic signal operation protocol is in place to ensure that queues from the junction do not back onto the main carriageways of the A2, with consequent risk of a fatal accident and delays to traffic using the A2 should be imposed on any future planning consent;
- Similarly, it will be important to protect the operation of the A2 during construction of the proposed slip road and therefore a condition in respect of a Construction Management Plan should be imposed.

**Environment Agency:** The Environment Agency has no objection, provided conditions are imposed on any planning permission granted covering: surface water drainage, contamination and fuel, oil and chemical storage measures.

**River Stour Internal Drainage Board:** no comments received to date. Any views expressed ahead of the Committee meeting will be reported verbally.

**The County Archaeologist:** Notes that the application site lies in an area of archaeological potential and in particular related to a number of Roman remains which have been found in the vicinity. Notes that it is therefore possible that the scheme would impact on presently unknown archaeological remains, and as such recommends that provision is made in any forthcoming planning consent for a programme of archaeological work.

**Natural England:** advises that the proposals as presented have the potential to affect species protected under European or UK legislation and refers the applicant to its Standing Advice on protected species and recommends that KCC consults its 'in-house' ecologist.

**Kent Wildlife Trust:** The trust accepts the findings of the Environmental Assessment Report and raises no objection to the grant of planning permission, subject to the imposition of conditions to secure:

- Submission for approval of a construction environmental management plan demonstrating measures to mitigate the risk of contaminated surface water polluting the River Great Stour;
- Implementation of such measures prior to the commencement of construction operations and their maintenance thereafter to mitigate the pollution risk following the completion of the works;
- Implementation of all ecological mitigation and enhancement proposals contained in the Environmental Assessment report.



**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

The Trust would also urge the County Council to ensure the submission of a planning application for the construction compound proposed on land not either within the limits of the scheme or on land previously developed in the vicinity. Only through this mechanism can the planning authority assure itself that suitable controls will be imposed on construction operations that may affect local sensitive receptors, including the River Great Stour which is of county ecological value.

**The County Council's Biodiversity Officer:** notes that the ecological surveys contained within the application appear to be very thorough, and provided the mitigation proposed is undertaken does not raise an objection to the scheme.

**The County Council's Noise, Dust & Air Quality Advisor:** Makes the following comments:

- The application suggests that slight increases in traffic on the surrounding road network as a result of the proposed scheme would not have any significant impact on the nearby residential properties. The calculations demonstrate that air pollution levels would remain well below the Air Quality Objectives;
- The mitigation measures proposed during the construction period would be sufficient to keep nuisance dust to acceptable levels;
- From the information provided it is demonstrated that the introduction of the new slip road would have no adverse effects upon the closest residential properties. The changes in noise levels occurring as a result of the traffic increases are considered insignificant and thus any impact caused by these changes is considered to be negligible.

**The County Council's Lighting Advisor:** Notes that the A28 Thanington Road is already provided with street lighting and the proposed new lighting levels are of a similar standard to the existing but the column locations have been designed and re-positioned to allow for the new slip road. The lanterns however are of the flat glass type thereby directing light down on to the road and minimising light intrusion relative to the older lanterns currently used on this road.

The only extra lighting is on the slip road itself and this is minimal designed to give safe movement of traffic to and from the slip road. It also has the same type of lanterns and is too far away from the residential properties to have any significant visual impact.

**Southern Gas Networks:** Offers advice regarding the presence of low/medium/intermediate pressure gas main in the proximity to the site and require no mechanical excavations are to take place above or within 0.5 metres of the low pressure and medium pressure system and 3 metres of the intermediate pressure system. The position of mains should be confirmed using hand dug trial holes.

**EDF Energy:** raises no objections to the proposed development.

**The Ramblers' Association:** Raises concern over the project regarding the resident wildlife and considers that protection is necessary for any identified ecologically sensitive areas with it being desirable to monitor progress of wildlife protection during the progress of the scheme.

**Additional Views**

29. I have received views from additional organisations who were not notified of the original application, but have written to express their opinions as follows:

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

**Wingham Parish Council:** Would like to express its support for the above application for a new slip road from the existing A28 Thanington Road to the existing A2 dual carriageway.

**Chartham Parish Council:** Raises no objection to the proposed development.

**Canterbury4Business:** Write to express our support for this proposal. Canterbury4Business is the Economic Partnership for the Canterbury district and represents the views of over 300 associates and the wider business community, our mission is to “unlock the path for business”. This new slip road is crucial to the future economic development of Canterbury and we believe it will make a significant contribution to the alleviation of traffic congestion in the Wincheap area.

**Kent Invicta Chamber of Commerce:** Write to express support for this proposal. Kent Invicta represents the interests of approximately 1200 businesses across Kent. As the Chair of the Chamber’s Canterbury Economic Development Group I am writing to express our strong support for the above proposal. Improved communications are vital to encouraging business growth and wealth generation in the district. The partial connections to the A2 that exist at present hinders movement across the district and within the Kent region generally. The Chamber has, with other business organisations, long campaigned for an improvement to these connections and we are delighted that this application is the first tangible evidence of a commitment by KCC to help communications and thereby stimulate the East Kent economy.

**Local Members**

30. The local County Member, Mr. M. Vye, and the adjacent local County Member Mr. J. Simmonds were notified of the application on the 12 May 2009. A letter from Mr. Vye was received on 19 May, setting out the following concerns:

“Let me say that I welcome this long-overdue project, for which I have been lobbying for many years, as local Member for this part of Canterbury.

However, there is one aspect of the current plans which concerns me. Sixteen houses on the opposite side of Thanington Road from the proposed slip currently have parking space on the highway. There are elderly people, and young families with children, who depend on their cars. The current plans contain provision for far fewer parking spaces than are currently available, and it is on the other side of the A28. I believe it is unreasonable, and indeed dangerous, for the residents of the stretch of Thanington Road affected, to have to cross this very busy main road to access the cars on which they depend.

I am in communication with Geoff Cripps about how this problem might be resolved. In the meantime I feel I have no alternative but to register an objection. I repeat that this is not an objection to the project as a whole, but to this one, technical aspect of it”.

A letter from Martin Vye was received on 26 July requesting that Kent County Council and Canterbury City Council get together with a sense of urgency to produce a report that shows that all possible measures to maximise parking spaces have been thoroughly investigated.

Further correspondence was received from Martin Vye on 4 August setting out his further views as follows:

“Residents and I have only just received a report on the options for replacement parking which have been investigated. Ideally I believe the hearing of this application should be deferred to give them and me sufficient time to study and respond. However, I am willing to remove the formal objection if the Planning Applications Committee imposes a

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

condition on the permission that meetings with residents and myself and Kent Highway Services, Canterbury City Council and Jacobs are arranged as soon as possible, to explore ways of improving the parking offer within the new development”.

31. A letter from Leyland Ridings, the County Member for Sandwich and Cabinet Member for Children, Families and Education, was received on 27 May 2009. Mr. Ridings sets out his full support for the new slip road as he believes this will ease access on to the A2 for his constituents.

**Publicity**

32. The application was publicised by the posting of four site notices along the A28 Thanington Road, a newspaper advertisement, the individual notification of 81 neighbouring residential properties and the existing Thanington Community Centre.

**Representations**

33. I have received 43 letters of objection from local residents to date in respect of this application. The main points of objection are summarised under the key headings below:

Noise

- Aware that most of the work would take place during the night to minimise inconvenience to motorists. This is very considerate to the motorist but not for local residents whose sleep patterns would be disturbed by the inconsistent noise of road-works taking place throughout the night;
- Planning application states that additional slip road traffic will to some degree increase noise in the vicinity. It is understood that specialist advice is being sought in this area about traffic noise, however the current noise levels would clearly become exacerbated with this new slip road;
- Plan also shows a considerable strip along the east side of the recreation ground where trees and bushes would be lost that have taken some 20 years to develop and help screen the by-pass;
- Important consideration needs to be given to the measures to reduce noise pollution to the recreation ground and the locality, such as the use of suitable acoustic fencing between the A2 roadside verge and the playing field fence and a planting scheme of semi-mature trees/bushes to replace those that would be lost due to the proposed works which would not take so many years to grow before providing a green and leafy hedge, as exists now.

Loss of residents' parking

- Concern over loss of parking bay outside properties – removal of parking which is currently assigned to 37 properties along Thanington Road will leave no option but to park vehicles up-to 200 metres away from properties;
- Proposed parking bay on the opposite side of the road is insufficient to accommodate current parking demands and increases the need to cross the busy A28 in order to reach properties. Concerns over need to cross over the road with young children or elderly residents and the increased levels of danger this would pose to existing residents;
- Removal of parking bays and replacement with a loading/unloading bay would mean that parents would either have to unload their shopping, pushchairs etc. whilst children remain in the cars, or take their children to their homes whilst unloading shopping and then look to find an appropriate parking space in the nearby area;

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

- Would shift parking problems from Thanington Road into St. Nicholas Road and surrounding roads within the area, which would have an adverse effect on the estate, which struggles to provide adequate parking for those residents living there at present;
- Ask that instead of a loading/unloading bay, the residents of Thanington Road directly affected by the plans, be given drop kerbs and drives on their front gardens. This would be far less dangerous than expecting parents with young children, the elderly and disabled, to cross a very busy road, and would be no different to other properties along Thanington Road;
- Whole proposal is causing a lot of concern and upset to all tenants/owners that would be affected. As it seems it will go ahead whether we agree or not, could residents not sacrifice the front gardens to be used for parking, instead of providing inadequate parking on the opposite site of an extremely busy main road?
- Please can you take our concerns seriously? We feel we have the right to park our car on our property to aid us with our disabled son;
- Loss of parking in the area will cause an increased amount of social tension with residents competing for parking spaces – this area has had problems in the past and anything that causes conflict must be taken into consideration;
- Please consider recommending a revised proposal that takes into consideration the local residents and their children.

Traffic management issues

- Proposed scheme would result in a further two sets of traffic lights being placed along Thanington Road, totalling 5 sets of lights within 200 yards;
- Increase traffic flows outside peoples homes.

Other issues

- Residents will be at more risk from traffic fumes and vandalism to cars if parking spaces are not adjacent to properties;
- Lack of pavement space within Thanington Road for cyclists;
- Smaller pathways for pushchairs, and those using mobility scooters;
- Increase costs to residents for insurance as cars/vans will not be parked outside their homes;
- Money spent on this scheme would be better spent by KCC looking to reduce all road traffic and to pursue a more sustainable transport policy.

34. I have received a residents' petition signed by 108 people. The petition was not sent directly to the County Planning Authority and does not have a cover sheet identifying which individual/organisation is behind the submission of the petition. However, the following statement is written on the header of the petition, against which the signatures have been written:

**“Thanington London-bound Slip Road (A28 to A2) - Petition to retain parking for residents** – It has been proposed that due to necessary road widening, the present parking bay for residents in Thanington Road will be lost. This affects nos. 19-51. This will push parking onto neighbouring roads (principally St. Nicholas Road). The residents affected by this proposal have agreed to forgo some of their front gardens to accommodate a new parking bay with entrance and exit from the left hand lane only. Please, please sign this petition and support retention of parking for local residents”.

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

**Discussion**Introduction

35. The application seeks planning permission for the construction of a new slip road to link the existing A28 to the London Bound A2, together with associated works including the demolition of the former Thanington Community Centre building, relocation of an existing BMX track and the formalisation and extension of parking spaces within the new Thanington Community Centre building. The application is being reported for determination as a result of the objection received from local residents, predominantly relating to the loss of parking, safety concerns and the expected increase in background noise levels, as summarised in paragraphs (33) and (34) above.
36. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (27) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance in this case include the potential impact on the surrounding area from any increased background noise levels during construction and subsequent operation; the visual and ecological impacts of the proposed scheme; the loss of on-street parking; together with the wider transport benefits to Canterbury and the surrounding area arising from the proposed development. These issues, together with other important material planning considerations are discussed below.

Noise Impacts

37. Members will note that concerns have been expressed relating to the impacts of construction activities and the subsequent operation of the slip road scheme on existing background noise levels. It is therefore important to fully consider any potential impact on nearby noise sensitive receptor sites against development plan policy and best practice guidelines.
38. An assessment of the construction and operational phases of the proposed A2 slip road has been included within the application, and has been based on the guidance contained within the Highway Agency's Design Manual for Roads and Bridges. It is noted that there are a number of nearby noise sensitive receptors within the vicinity of the proposed slip road scheme, notably residential properties fronting the existing A28 Thanington Road, the Thanington Community Centre and the recreation ground and associated play/sporting facilities. It is also noted however that as an important consideration in this case, the existing noise environment of the area around the proposed slip road is predominantly dominated by road traffic noise from the busy A28 and A2 trunk road.
39. With regards to construction impacts, the applicant has estimated that the total duration of works to complete the scheme would be within one year of commencement. Construction would comprise a sequence of intermittent activities, including: the excavation, transport and placement of soils; the construction of structures; and drainage works and the carriageway construction. As part of the mitigation during construction the applicant is proposing that a number of measures be adopted including: the use of 'best practicable means' during construction activities; switching off plant and equipment when it is not in use for longer periods of time; establishing an

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

agreement with the local authority on appropriate controls for undertaking significantly noisy works or vibration-causing operations close to receptors; programming work so that the requirement for working outside of normal working hours is minimised; the use of low noise emission plant where possible; the use of temporary noise screens around particularly noisy activities; and regular plant maintenance.

40. In terms of the subsequent operation of the slip road scheme, as outlined above, noise levels have been assessed at a number of representative receptors within 600 metres of the proposed scheme. Anticipated noise levels were then calculated using noise modelling software, based on anticipated traffic flow data for the 'baseline', or proposed first year of operation (2011), and 15 years after opening (2026). These calculations concluded that the noise environment at nearby sensitive receptors would be predicted to experience a negligible change as a result of the introduction of the slip road. Based on this assessment, no mitigation measures are proposed in respect of the operational phase of the proposed slip road.
41. It is noted that the County Council's Noise Consultant has independently assessed the proposed scheme, and as outlined in paragraph (28) above, and considers that the development would not have an adverse impact on nearby noise sensitive receptors. I note that Policy NRM10 of the adopted South East Plan requires noise attenuation measures to be included within new road schemes where they are considered to be necessary. However, in this particular instance it is considered that the inclusion of noise attenuation measures, such as the provision of an acoustic fence, is not specifically warranted. Whilst an acoustic fence would inevitably bring significant benefit to the locality, it is not considered that such measure is warranted as a direct result of this slip road scheme, but instead would be beneficial more generally given the background noise from the existing A2 trunk road (i.e. its main carriageways). That said, given the extent of the removal of vegetation required to construct the slip road scheme along the recreation ground boundary with the A2, I consider it necessary to ensure that the proposed planting scheme includes trees of a substantial height and density to afford noise and visual screening from the slip road and A2 road. Subject to this measure, together with an appropriate planning condition controlling the hours of construction operations, based on the professional advice received from the County Council's Noise Consultant, I would not seek to raise an objection on noise grounds in this case.

#### Atmospheric Issues

42. An assessment of air quality for the construction and operation phase of the proposed development has been undertaken by the applicant and considered by the County Council's Air Quality Consultant. It is noted that emissions from road traffic can have a significant impact on air quality, and that any new road scheme may result in changes to the existing traffic flows and/or traffic speeds, thereby affecting air quality.
43. The National Air Quality Strategy identified clear measurable targets to improve air quality in the UK by 2005 and 2010, based on an understanding of the health effects of the pollutants concerned and the economic efficiency of any reduction. These proposals are reaffirmed through Policy NRM9 of the South East Plan which recognises that planning proposals should contribute to reducing air pollution in the region.
44. The air quality study has found that as a result of the proposed slip road scheme the predicted pollutant concentrations in the area would continue to be within the Air Quality Objectives, and therefore no mitigation measures are proposed for the operational phase. Members will note that the County Council's Air Quality Consultant does not

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

raise objection to the proposed scheme, as set out in paragraph (28) above. Therefore, on the basis of this technical advice, I would not seek to raise an objection on air quality issues in this instance and consider that the scheme is in accordance with Policy NRM9 of the South East Plan.

Landscape / Visual Impacts

45. The application has been accompanied by a landscape and visual assessment. It is noted that the proposed slip road area lies within the urban areas of Canterbury and its footprint and immediately surrounding area is not covered by any specific landscape designation. The main landscape impact during construction would occur as a result of the removal of existing semi-mature and mature vegetation along the A2 which currently acts as a visual buffer between the recreation ground and the A2 trunk road. The removal of this vegetation would inevitably open up view of the A2 and vehicle movements from the recreation ground and beyond.
46. Policy BE1 of the adopted Canterbury City Local Plan seeks to promote developments that reflect high quality design having regard to the landscape character and the way the development is integrated into the landscape. Policy NE5 of the Local Plan seeks to retain trees, hedgerows and other important features that make a positive contribution to the amenity of the site and the surrounding area. Policy T14 of the South East Plan seeks to encourage transport schemes that make the best use of the existing infrastructure asset whilst recognising that as far as possible, the location, design and construction of all new transport infrastructure projects should enhance the environment and communities affected.
47. The applicant has submitted a landscaping scheme with the application that, as detailed in paragraphs (17) – (19) above, proposes a mix of native tree and shrub planting along the boundary of the new slip road, native hedgerow along the boundary with the realigned A28 and ornamental planting within the relocated BMX park. Whilst it is unfortunate that 26 individual trees and a further 6 groups of trees/shrubs would need to be removed to facilitate the development, it is considered that the overall visual impact of the scheme, once landscape planting has taken place and subsequently matured, would be minimal. Therefore, subject to appropriate conditions requiring full details of the landscaping scheme to be submitted to and approved by the County Planning Authority, including appropriate 'mature' standard of trees and vegetation, the implementation of the scheme within the first planting season following the completion of the works, tree protection measures for trees retained in close proximity to the development site during construction and that any trees/shrubs which die are replaced, I consider the proposals to be in accordance with Development Plan Policy and therefore raise no objection in landscaping or visual impact terms.

Ecological Impacts

48. The application has been submitted with an accompanying environmental assessment report, taking account of known ecological features within or near to the site including the River Stour, slow worms, bats, hedgehogs and nesting birds. The applicant proposes a range of mitigation measures including the translocation of protected species to new habitat adjacent to the site, together with the careful timing of works and appropriate landscaping measures to ensure that the residual impact to the area's biodiversity is minimal.
49. Members will note that consultees, including Kent Wildlife Trust, the County Council's Biodiversity Officer and the Ramblers Association, as detailed in paragraph (28) above,

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

have supported the principle of the scheme but have suggested appropriate planning conditions be imposed on any forthcoming consent to ensure that ecological matters are safeguarded during construction activities. It is noted that Policy NRM5 of the South East Plan places a duty on all local planning to ensure that a net loss of biodiversity is avoided during the consideration of development proposals. Similarly, Policy NE1 of the adopted Local Plan seeks to ensure that appropriate ecological mitigation measures are secured by condition in the event of the grant of planning permission.

50. I consider that based on the ecological mitigation measures proposed, together with those further comments raised by consultees, I am satisfied that the proposals are in accordance with Development Plan Policy and would accordingly not raise an objection to the development on this specific aspect. Furthermore, I note that the translocation of protected species from the development site to a new habitat area would be the subject of separate legislative requirements, including the application for a protected species licence from Natural England.

#### Archaeology

51. Members will note that the County Archaeologist has highlighted the potential for the proposed scheme to impact on previously unknown archaeological remains. To this effect, it is proposed that an appropriate condition be imposed on any planning consent to ensure that a programme of archaeological work is undertaken. I concur with this view, and note that subject to the imposition of an appropriately worded condition that the proposals would be in accordance with Policy BE15 of the adopted Local Plan.

#### Impact on Open Space

52. Members will note that part of the land required to facilitate the development involves an area of protected open space, as defined by Policy C24 of the adopted Local Plan. This policy recognises that any loss in protected open spaces would clearly need to be balanced against a demonstrable need for this development. However, in this particular location, Policy C5 of the Local Plan recognises that a section of the open space land would be required to facilitate the implementation of a new A2 on slip road.
53. Whilst the loss of a small corner of protected open space is unfortunate, I consider such loss to be justified by the wider transport benefits that the proposal would bring to the City and surrounding area. Furthermore, it is considered that most of the recreation ground would remain in its current form and that the small area lost would be compensated by the provision of a new BMX track which would enhance the quality of the remaining open space. I would therefore not raise an objection to the loss of a relatively small area of open space, and note that steps are already underway with the City Council for the disposal of this area of protected open space.

#### Loss of on-street parking

54. As noted in the Proposals section, an existing on-street parking lay-by on the south side of the A28 would be lost as a result of the realignment of the A28 to accommodate the slip road scheme. This lay-by is 50 metres in length and currently provides approximately 10 informal parking spaces for nearby residential properties, on a first-come-first-serve basis. This area of parking is unrestricted and, contrary to the views expressed by some local residents, is not allocated to specific properties. Instead, it is land owned and managed by the Highway Authority for which residents have had the benefit of parking on for some considerable length of time.



**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

55. In anticipation of the adverse impacts of a loss of on-street parking for nearby properties, the applicant has proposed two new parking areas in compensation. These comprise a new parking lay-by on the opposite (northern) side of the A28 to accommodate approximately 8 cars on an informal basis (i.e. not delineated into parking bays) and the construction of a loading/un-loading bay on the southern side of the A28, adjacent to residential properties. The latter has been designed to meet the needs of nearby residents who could use such bay for the delivery and collection of bulky goods near to their existing properties.
56. It is therefore noted that the net loss of permanent car parking spaces would be two spaces, based on the original lay-by accommodating approximately 10 vehicles and the new lay-by on the opposite side of the road accommodating approximately 8 vehicles, albeit on the opposite side of the carriageway. It is noted however that there has been some discrepancy relating to the number of cars in which the existing lay-by can hold, as some claims have been as many as 16 vehicles. However, the lay-by has been measured and based on its current length (50 metres) it is able to accommodate 10 vehicles when parked legally and based on the Kent Vehicle Parking Standards (each car parking space being 5 metres in length). Any vehicles parked illegally on yellow lines, or within the adjacent bus lay-by therefore cannot be counted.
57. Members will note that the local County Member, Mr. Vye, has expressed his concerns regarding the loss of on-street parking on the southern side of the A28. He does however, reassure me that his objection relates solely to the loss of residents' parking and not to the principle of the whole project, which he has been lobbying for many years as local Member. In addition, Mr. Vye has expressed his desire for further discussions to take place between Canterbury City Council (as the parking authority) and Kent County Council to ensure that every possibility for further parking on the southern side of the A28 is investigated.
58. These further discussions have now taken place between the applicant (Kent County Council Major Projects) and the Head of Transport and Engineering at Canterbury City Council. The outcome is that everything that is reasonably possible regarding parking has already been included in the current scheme proposals. To this effect, I attach a letter from the chief executive of Canterbury City Council in Appendix 1 detailing these further discussions which have taken place.
59. Members will note that Mr. Vye has specifically requested that the current application be deferred from consideration at this Committee meeting in order to provide residents additional time to consider the further information provided by the City Council (as detailed in Appendix 1). Whilst Mr. Vye's comments are noted, I consider that based on the discussions which have taken place between the applicant and the City Council, I am mindful that all feasible options appear to have already been considered in this instance. In addition, I am mindful over the potential implications that the deferral of this application could have on the successful delivery of the project. On balance, I therefore consider that given the importance of this scheme to Canterbury and the wider East Kent area, the current application should be reported for determination at this meeting of the Planning Applications Committee. Furthermore, whilst I am mindful of the current level of local objection relating to the loss of parking in this instance, I would not wish to raise expectations for further parking to be provided by the applicant, which ultimately could not be delivered.
60. In terms of the compensatory parking solutions considered by the County and City Councils, the main options included the construction of an extended lay-by between the realigned A28 and the houses on Thanington Road; the construction of separate

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

accesses to provide off-street parking space for each property; and the construction of a rear access road to serve the affected properties. There have however, been a number of reasons why these alternative compensatory parking measures have been discounted as being reasonably practical, including the loss of mature trees along the road frontage of the affected properties leading to a change in the character of the street scene, the substantial loss of front gardens of numbers 19-51 Thanington Road and issues with underground services and level changes, together with a lack of space to the rear of properties and the need to compulsorily purchase land which would be complex and difficult to justify. Furthermore, the provision of individual accesses to properties has been discounted on the basis of fundamental highway safety concerns, and in fact previous planning applications for similar developments were refused on highway safety grounds by the City Council in 1995 and 2000. Based on the proposed new realignment of the A28 carriageway, any potential new individual accesses would pose greater highway safety issues than those applications which were previously refused in the past. It is noted that further details relating to these 'alternative' compensatory measures are set out in the letter from Canterbury City Council, as detailed in Appendix 1.

61. Whilst it is unfortunate that a scheme which would provide parking for residents on the southern side of the A28 has not been possible to develop in this instance, it is noted that the applicants have been able to offer up a compromised solution to local parking issues which has been extensively discussed by officers at the County and City Councils. Whilst this proposed compensatory parking lay-by would inevitably mean that residents who need to park their vehicles on the opposite side of the road to their property and cross the re-aligned A28 using a new signal controlled crossing point, in reality this situation occurs at many residential properties which face onto main roads across the County and also in residential streets which are not wide enough to accommodate parking on both sides. I therefore sympathise with the local residents on the loss of parking adjacent to their properties, but do not consider that this issue alone is sufficiently overriding to warrant the refusal of this application. Furthermore, I note that the applicant is providing additional parking facilities for residents within the locality, over and above any statutory duty to provide on-street parking facilities. I would therefore not wish to set any future precedent whereby the Highway Authority is required to provide new residents' parking facilities as an ancillary part of future highway schemes.
62. Having considered the arguments put forward by residents on this sensitive local issue, together with the difficulties experienced by the applicant in finding an engineering solution to best fit the needs of the scheme and the interests of nearby residents, as well as the considerations of the City Council as the parking authority, I consider that the need for the slip road and its associated benefits outweigh the loss of parking in this instance. I would however, like to ensure that should planning permission be granted for this scheme, that in the event that alternative compensatory parking measures are presented to the applicant that they are fully considered in terms of the potential viability. Therefore, I propose that a suitably worded informative be attached to any decision to make provision for the applicant to consider any additional reasonable parking scheme put forward. I do not consider however that such measure should be controlled by a pre-commencement planning condition as I remain to be satisfied that any additional parking measures could reasonably be accommodated in this instance.

Need and Development Plan Policy

63. I consider that the case of need for the slip road scheme has been clearly demonstrated by the applicant in this instance. It is considered that the need for the slip road and its

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

associated benefits in reducing traffic congestion through Wincheap, the City centre ring road and nearby areas including Chartham Hatch (as identified on Page D1.4) provide a sound justification for approval of this application. The resulting impact of the slip road would be to disperse traffic currently taking inappropriate routes through an already heavily trafficked road network directly onto the A2 trunk road network. I consider therefore that the principle of the scheme is in accordance with Policy T1 of the South East Plan which seeks to manage demand on the road network through the re-allocation of capacity, together with the principle of Policy T8 which seeks to address known transport bottlenecks at support the role of regional hubs (for which Canterbury is classified as) as a focus of economic activity.

64. The improvements to the various A2 junctions (at Harbledown, Wincheap and Bridge) are identified in the adopted Canterbury Local Plan under Policy C5. This Policy reflects the priorities as set out in the Council's District Transport Action Plan which was adopted in 2004. The recently adopted South East Plan recognises Canterbury as a 'Regional Hub' under Policy SP2 and indicates that Regional Hubs will be "a focus for investment in multi-modal transport infrastructure both within and between hubs, supported by initiatives to re-balance travel patterns through behavioural change". Furthermore, the on-going preparation of Canterbury's Local Development Framework Core Strategy which is an emerging planning policy document, albeit not yet formally adopted by the City Council, indicates that the A2 junction improvements are critical to the delivery of future development requirements at the City and to the broader vision for the area set out in Canterbury's Corporate Plan and the Canterbury Partnership Strategy. It is also noted that there would be a wider benefit of the proposed scheme within the East Kent area, as has been identified by the various business action groups (see Paragraph 29 above) together with the local Member for Sandwich (Paragraph 31).
65. Notwithstanding the various points of objection discussed here, I consider that the proposed slip road scheme is acceptable as a matter of principle, bringing significant benefit to Canterbury by reducing traffic congestion through Wincheap and the City centre itself. Furthermore, I note that the scheme has strong support from adopted Local Plan policy.

Other issues arising from Consultations and Publicity

66. The issue of increased traffic congestion was raised during the consultation and publicity of this application. It is noted that the A28 through Wincheap already experiences high levels of traffic flows and comprises a complex series of traffic junctions in the vicinity of the existing A2 slip roads and Morrison's/Wincheap Park & Ride. The concerns have mainly related to the potential impact of further traffic restrictions through additional sets of traffic lights along this stretch of road and the ability to cause long tail-backs if not managed correctly. Whilst to some degree that is a planning issue, the final operation of the lights will be the responsibility of the highway authority and would be subject to on-going review and adjustment once implemented. Nevertheless, Members will note that the Highways Agency has requested that a planning condition be imposed on any forthcoming planning consent to ensure that a suitable traffic signal operation protocol is agreed prior to the scheme being implemented. I therefore recommend that any planning consent includes such condition, together with the additional conditions that the Highways Agency has requested, as set out in paragraph (28) above.
67. Issues have been raised relating to concerns with small pedestrian pathways surrounding the proposed slip road scheme to allow for the safe movement of pedestrians. This issue has been thoroughly investigated during the design stage and is

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

not considered to be a true reflection of the current proposals. Furthermore, the applicant has indicated that it intends to resurface all pavements within the vicinity bringing them up to modern standard.

68. The increased cost of insurance for vehicles parked away from residents' properties, as a result of the proposed parking arrangements is not a material planning consideration and cannot therefore be considered as relevant to the determination of this application. Similarly, the comment that the *'money spent on this scheme would be better spent by KCC reducing all road traffic and pursuing a more sustainable transport policy'* is noted by the applicant but again is not a material planning consideration in this instance, since it is in relation to a wider aspect which the County Council is pursuing separately through its Integrated Transport Strategy.

**Conclusion**

69. Having regard to the Development Plan Policies, and the material planning considerations received from both consultees and local residents, I consider that the environmental aspects of the scheme are acceptable in planning terms and are in accordance with the Development Plan. Whilst it is unfortunate that the scheme involves a loss of on-street parking adjacent to residential properties, the transport benefits brought about by the slip-road scheme in helping to alleviate traffic congestion within the City centre road network and surrounding area onto the trunk road network outweigh any local parking issues in this instance. Furthermore, I am mindful that the applicant, together with the City Council, have thoroughly investigated the best practicably possible parking solution to accommodate the requirements of the proposed scheme against the needs of local residents, and have ultimately concluded that the current scheme offers the best solution. I note that the local Member has requested that the application be deferred pending further investigations, or that any decision to grant planning permission be made on a conditional basis that further investigations relating to on-street parking take place, but in this instance feel that this is an unreasonable requirement on the applicant who does not have a statutory duty in law to provide residents parking on the highway and has, in my opinion, undertaken a comprehensive review of potential alternative parking solutions in this instance. I therefore consider that a suitably worded informative be placed on any future decision notice requesting the applicant to consider any reasonably possible alternative parking solutions which are put forward to them.
70. On balance, I therefore consider that subject to the imposition of the conditions as set out in paragraph (71) below, together with a suitably worded informative to request the applicant to consider any reasonably possible alternative on-street parking measures, that planning permission be granted for this highway scheme.

**Recommendation**

71. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including amongst others, conditions to cover the following aspects:
- 5 year time limit for implementation;
  - The development to be carried out in accordance with the permitted details;
  - Overall landscaping scheme to be submitted to and approved prior to the commencement of operations on site, and thereafter be fully implemented as approved within the first planting season following the completion of works;

## Item D1

### **New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

- Planting scheme retention and maintenance requirement for a period of not less than 5 years;
- Tree protection measures be imposed (in accordance with British Standard 5837:2005) on trees to be retained in the locality of the development site;
- The development shall be carried out strictly in accordance with the various ecological mitigation measures detailed within the Environmental Report;
- Traffic monitoring strategy;
- Traffic signal operation protocol;
- Construction management plan;
- Surface water drainage, ground contamination and oil & chemical storage details;
- Programme of archaeological works;
- Construction environmental management plan demonstrating measures to mitigate the risk of contamination of surface waters on the River Stour;
- Details of contractors compound;
- Dust suppression measures and controls to limit mud/debris on the highway;
- Hours of construction be limited to between 0700 and 1900 Monday to Saturday, and no operations shall take place on Sundays and Bank Holidays, except as may be agreed in writing by the County Planning Authority in liaison with the City Council as a result of a clearly demonstrated need to work outside of the 'standard' working hours during construction operations;
- Removal of all plant and equipment and restoration of site following completion of works.

An INFORMATIVE be placed on any decision notice to require the applicant to fully investigate any reasonably possible compensatory parking measure put forward to them prior to the commencement of the development.

Case officer – Julian Moat	01622 696978
----------------------------	--------------

Background documents - See section heading
--

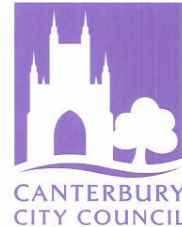
# Item D1

## New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702

---

### Appendix 1

Date: 31st July 2009  
Your Ref: PAG/CA/09/TEMP/0017  
Our Ref: Transport.Moat.31.7.09  
Direct dial: 01227 862082  
Direct fax: 01227 471646  
E-mail: chief.executive@canterbury.gov.uk



Julian Moat  
Planning Applications Group  
First Floor, Invicta House  
County Hall  
Maidstone  
ME14 1XX

Dear Mr Moat

#### **New slip road linking A28 Thanington Road to A2 existing dual carriageway**

I am writing this letter to set out the views of Canterbury City Council of the proposal for a new slip road at Wincheap. The scheme has been identified as a critical element of a long term package of measures to tackle traffic congestion in the city. Improved junctions at the A2 in Canterbury are highlighted in the District Local Plan and this scheme is key to delivering the Local Development Framework. As well as being a critical priority in the City Council's Corporate Plan, the need is recognised in a wider perspective within East Kent and the slip road scheme is included in the priorities of the East Kent Local Strategic Partnership. You should consider our Development Control Committee's view below as seeking to mitigate local impact, and not as opposition to the Scheme.

I wish to take this opportunity to follow up on Canterbury City Council's Development Control Committee's formal response to the above planning application, dated 22<sup>nd</sup> July 2009. In particular, I wish to address the specific comment in paragraph 2 of the letter:

*"That additional mitigating measures be investigated and implemented by Canterbury City Council and Kent County Council working together to achieve further on-street residents parking on the south side of the A28 to offset the loss of parking as proposed."*

Further discussions have been held between technical officers on the City and County Councils and Kent Highway Services' consultant, Jacobs. The range of mitigation measures have been reviewed and assessed. The discussions took account of comments made by residents at the public consultation held in March 2009.

The current on street parking provision along the south side of Thanington Road, between nos 19 and 51, is 50 metre long, sufficient for 10 cars. As this area is not within a controlled parking zone, this area is not specifically designated for residents. However, in reality, use of this area by non residents is rare.

The current application proposes a 40 metre long layby on the northern side of the road to accommodate up to 8 vehicles. In addition, a 13 m long layby is proposed on the south side, intended as loading/unloading bay only, with parking restrictions. This would accommodate 2-3 additional vehicles.

**Canterbury City Council**  
Military Road  
Canterbury  
CT1 1YW

Printed on recycled paper

Telephone: 01227 862000 (main switchboard)  
Fax: 01227 862020  
www.canterbury.gov.uk

DX 99713 CANTERBURY-3  
Minicom text-telephone users only, please dial 01227 781313



INVESTOR IN PEOPLE

**New slip road onto A2 London Bound carriageway at A28 Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

The construction of the new slip road will necessitate widening of the A28 along the section between 19-51 Thanington Road to accommodate a new lane for outbound traffic wishing to turn right onto the new slip road. Inevitably, the widening will take up the space currently used for on-street parking.

The options for replacing the current parking provision to the south of the A28, ie on the same side of the road as 19-51 Thanington Road, have been considered.

Physical measures explored were:

- a) the construction of an extended new layby between the realigned A28 and the houses on Thanington Road,
- b) construct separate accesses to provide off street parking space for each property,
- c) construct a rear access road to serve the affected properties.

Any extended new layby would mean the loss of a line of mature trees which are critical to the setting of properties along Thanington Road. Removal of the trees would significantly damage the local environment, the landscape and the suburban setting of the properties and the surrounding community. There would be significant road safety concerns and the proposed pedestrian crossing would have to be staggered, thus reducing its effectiveness. There is a number of public utility plant in this area which would require diversion or protection. The total cost of a new layby on the south side would be very high.

A segregated layby to serve 19-51 Thanington Road, as proposed in a petition by local residents, would also mean the loss of the mature trees, but would also encroach onto the front gardens of the properties. This would fundamentally change the character of the area. The total cost would be very high due to public utility costs and the construction of retaining walls to overcome the differences in level.

Provision of separate vehicular access to each property would be very unlikely to be approved by Kent Highways or Canterbury City Council Development Control due to road safety concerns. Indeed, previous applications in 1995 and 2000 were rejected.

A rear access road would impact very heavily on the properties of both Thanington Road and Ingoldsby Road. The process would require use of compulsory purchase powers and would be complex and difficult to justify. Physically, it would be very difficult to fit an entry in between the properties that front St Nicholas Road. The rear gardens decrease in size towards the north eastern end and it would be virtually impossible to provide a turnaround facility.

I have concluded that there are no practical and affordable physical measures that could be provided to meet the residents' wish to retain the full parking provision on the south side of the A28. The new layby to the north of the road, supplemented by the loading/unloading facility on the south side, as proposed in the application, goes a long way to mitigating the impact on residents and offers the best practical solution.

In addition, we have considered parking management measures. The area is not currently designated a controlled parking zone with specified restrictions, but with exemptions for resident's permit holders. There would appear to be little advantage in designating this area, at present, as there is no evidence of widespread parking by non residents, at least not to a level that would result in a consensus in favour of restrictions.

**New slip road onto A2 London Bound carriageway at A28  
Thanington Road, Thanington Without, Canterbury - CA/09/702**

---

This situation can be kept under review and local consultation could be held in the future to test public opinion, if evidence of demand becomes apparent.

There are currently no restrictions on any parking in adjacent streets and this occasionally occurs if residents are unable to find a space immediately outside their own home. Residents of 19-51 Thanington Road would continue to be able to park in other streets, such as St Nicholas Road, provided they do not obstruct accesses to properties. Given that the majority of properties on St Nicholas Road have off street parking, there is generally plenty of space on street. It may be possible to mark out suitable on street parking areas to reduce risk of obstruction or anti-social parking. Marking the bays in St Nicholas Road would give confidence for Thanington Road residents that they have a right to park there.

There is a risk that the proposed new layby to the north of the A28 could be occupied, at times, by users of the nearby community centre, despite ample on site parking. In the first instance, I would propose to erect advisory signs to indicate parking for residents only. I would not advocate a formal order, as this would necessitate a resident's permit system and residents may be obliged to pay an annual fee for a permit if this were to be implemented. However, in the event of frequent abuse, it would be possible, in the future, to investigate the option of a formal traffic regulation order.

The City Council will regularly review parking management options with ward councillors and, if appropriate, the Joint Transportation Board.

In conclusion, officers of the City and County Councils are of the opinion that all possible alternatives have been investigated and that everything reasonably possible has already been included in the scheme proposals. The City Council is fully committed to the project and strongly supports the application.

Yours sincerely



Colin Carmichael  
Chief Executive



**Item D2**

**Multi-use sports arena and activity hall to facilitate the partial relocation of facilities from the Pier Sports Centre to Herne Bay High School, Bullockstone Road, Herne Bay – CA/09/680**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 August 2009.

Application by Kent Local Education Partnership 1 for the partial demolition of existing school buildings and alterations and extension to form multi-use sports arena and activity hall (to relocate some of the existing facilities from the Pier Sports Centre, including roller sports facilities) and creation of additional car parking spaces at Herne Bay High School, Bullockstone Road, Herne Bay (CA/09/680)

Recommendation: Planning permission be granted subject to conditions

Local Member(s): Mrs. J. Law & Mr. D. Hirst

Classification: Unrestricted

### Site

1. Herne Bay High School lies within the urban confines of Herne Bay, south of the A299 Thanet Way, in Greenhill. Residential properties surround the site to the north, south, east and west. Bullockstone Road and the main school vehicular entrance and car park is located to the east of the site, whilst Greenhill Road and a secondary car park used mainly for community activities and on-site nursery is located to the north of the site. A third car park off Bullockstone Road is used for main deliveries and kitchen staff parking. Chestnut Drive and Oaks Avenue are residential streets which border the western side of the site, whilst Kingfisher Court, Bridleway and Eider Close are all residential streets which are located to the east of the site and separated by the main Bullockstone Road. The main school buildings are located to the north of the site with the playing fields to the south. The school land is set in a fairly open landscape, with the land falling away gently to the south of the site. The sports fields of the school are a Protected Open Space as identified in the adopted Local Plan. *A site location plan is attached on page D2.2*
2. Major building works are currently taking place at the site, under the Building Schools for the Future programme, as discussed in the Background section (paragraphs 3-5 below).

### Background

3. As identified above, Members will note that building works are currently being undertaken at the High School site to redevelop the former campus facilities under the Government's Building Schools for the Future (BSF) initiative. The Planning Applications Committee resolved that planning permission be granted for this redevelopment at its meeting on 24 June 2008, which comprised of the partial demolition of existing school buildings, the extension and refurbishment of the former High School to create new teaching and circulation space, a new sports and activity hall for school and community use together with ancillary works including the creation of a contractor's compound, landscaping works and temporary accommodation during the construction phase. It is expected that these works will be completed by June 2011.

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

**Site Location Plan**



**Site Location Plan – Herne Bay High School Campus**  
Scale 1:5000









Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680

Proposed South Elevation

Herne Bay High School Site Plan

**LandSecurities**  
Herne Bay Partnership

**Kent Council**

**Provia**  
Herne Bay High School

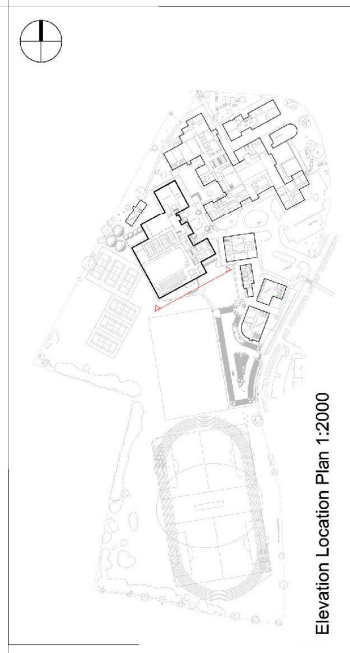
**Construction**  
Herne Bay High School  
Kent BSF

**South Elevation**

Project No: 19205A\_HBH-HAL-20-X03  
1:1100  
CLAGUE

www.clague.co.uk  
www.clague.com

C.L.A.G.U.E.



- ① Existing yellow brickwork in stretcher bond to match with existing
- ② Bars, Thick cladding panels in white with horizontal and vertical 10mm shadow gaps (1500 x 1500mm, 750 x 750mm)
- ③ Double glazed aluminium system (White Frames)
- ④ Bars, Thick cladding panels in white with horizontal and vertical 10mm shadow gaps
- ⑤ Through coloured render in white
- ⑥ PPC metal sheet with vertical profile

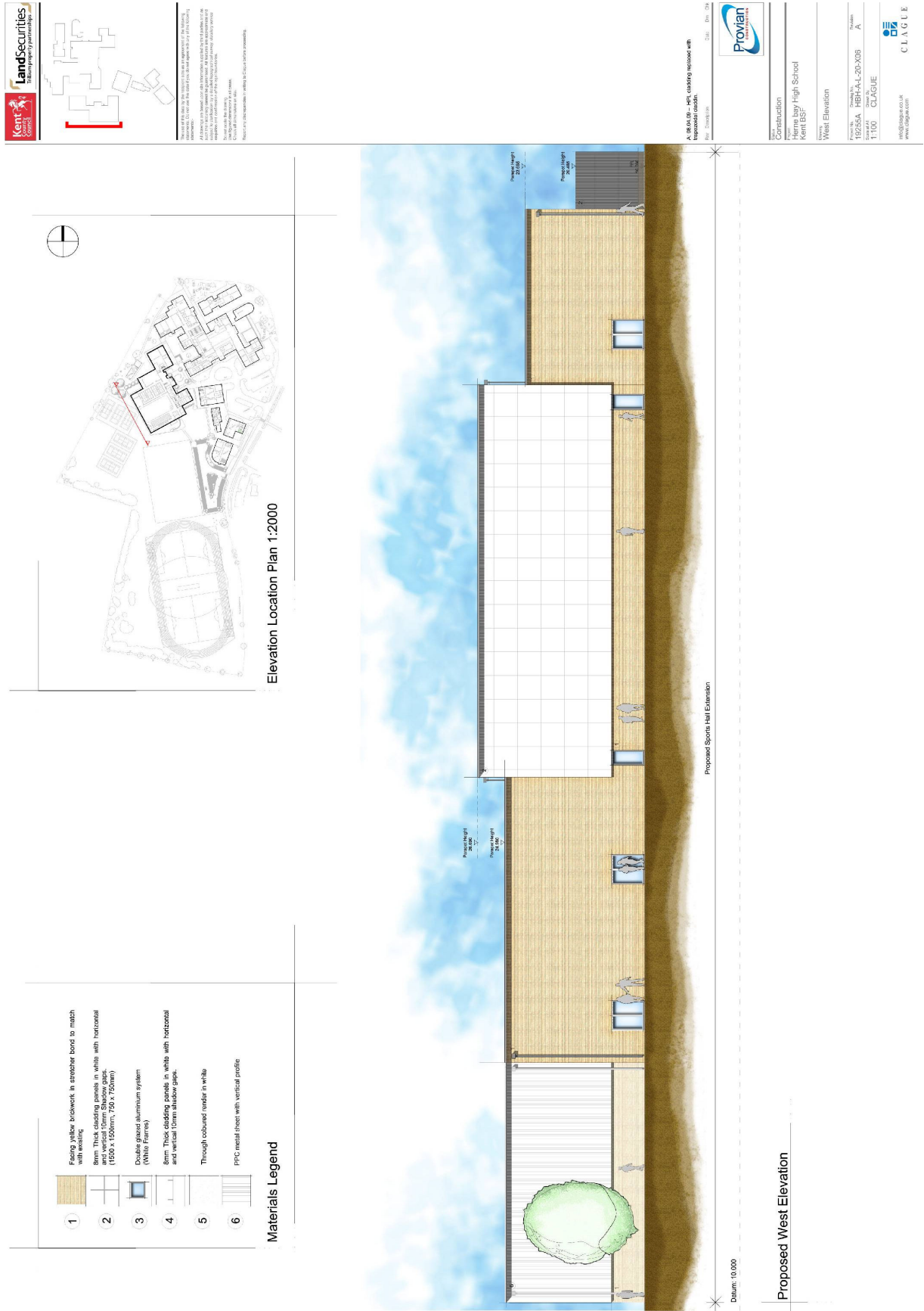
Materials Legend



Proposed South Elevation

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

**Proposed West Elevation**



**Kent Council**

**LandSecurities**  
Planning Partnership

Site Plan

Herne Bay High School, The School, Bullockstone Road, Herne Bay, Kent, TN11 8JG. The site is shown in red on the site plan. All drawings are based on the information provided by the client. The client is responsible for the accuracy of the information provided. The drawings are for information only and do not constitute an offer. The drawings are not to be used for any other purpose without the written consent of the client. The drawings are not to be used for any other purpose without the written consent of the client. The drawings are not to be used for any other purpose without the written consent of the client.

**Provia**  
Construction

Project: Herne Bay High School  
Client: Kent ESF  
Drawing: West Elevation

Project No: 19255A  
Drawing No: RBHAL-2D-X06  
Scale: 1:100  
Revision: A

www.provia.co.uk  
www.clague.com

**CLAGUE**



**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

4. The main campus buildings are a mix of ages dating from the 1950s with the most recent additions being constructed in 2006. The incremental approach to development at the site had led to internal and external circulation problems, whilst the mix of age of buildings presented problems for the School with upkeep and maintenance. It is expected that the redevelopment programme currently being undertaken will address these problems and create a campus designed to meet the needs of 21<sup>st</sup> century education.
5. The existing school roll is approximately 1500 students, with approximately 200 of those being post 16 students. A total of 200 full and part time staff are employed at the school. As part of the redevelopment of the site under the BSF programme, it was not expected that the school roll or the number of teaching staff would increase.

**Proposal**

6. The application proposes the provision of a new multi-use sports arena and activity hall which is borne out of a combination of the Kent BSF programme and the desire by Canterbury City Council to relocate its roller hockey/skating arena, currently situated at "The Pier Sports Centre" in Herne Bay, to Herne Bay High School on a 'like-for-like' basis. As part of the grant of planning permission by the County Planning Authority to redevelop the site under the BSF programme, new sports facilities for both school and community use have already been approved, albeit of a less extensive nature than those covered under this application. Therefore, this application seeks to increase the size of the sports facilities at Herne Bay High, over-and-above those previously consented. The application proposes a 1% year on year rise of visitor numbers at the school for the first 5 years of operation, after which stability of the number of users would occur.
7. The Pier Sports Centre is one of five Canterbury City Council leisure centres managed by an independent trust, known as Active Life Ltd. The centre is over 30 years old and consists of a large sports hall with spectator space, squash courts and health and fitness facilities. The City Council has undertaken numerous public consultations with key stakeholders and local residents regarding a regeneration plan for Herne Bay, known within the Local Development Framework as the Herne Bay Area Action Plan. Within this document, one of the issues related to the relocation of the Pier Sports Centre from the town centre to Herne Bay High School. Although the Herne Bay Action Plan has yet to receive formal adoption, it has recently been submitted to the Planning Inspectorate and forms a material consideration in the determination of this application as an emerging Local Development Framework document.
8. The application proposes a multi-purpose arena designed for international standard roller hockey games, currently hosted at The Pier Sports Centre. This arena would provide for roller sports facilities, recreational skating, badminton, basketball, futsal (indoor football), volleyball, netball, handball, table tennis, indoor long mat bowls, short tennis, trampoline and general fitness facilities. A four court sports hall would also be provided to offer badminton, basketball, table tennis, trampoline and gymnastics facilities, together with a further smaller sports activity hall to provide a gymnastics centre. All of the facilities proposed would be shared between school and community use, with the community use element being managed by Active Life Ltd. on behalf of Canterbury City Council. The proposal includes ancillary changing/showering facilities, together with office accommodation and a small food servery area. In total, the proposed new footprint of the development provides approximately 1900 square metres of additional floorspace, over and above that previously consented under the original BSF scheme.

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

9. In terms of the community use element, the applicant has indicated the proposed hours of use of the sports centre would be as follows: 08:00 to 23:00 hours Monday to Friday; 08:00 to 24:00 hours on Saturdays and 08:00 to 22:30 hours on Sundays and Bank Holidays. It is noted that these hours reflect those currently operated at the Pier Sports Centre.
10. Members will note that consent has already been granted for extended sports facilities at the High School under the original BSF scheme, however it is noted that the footprint of this proposal lies directly on the same area as the previously approved sports hall would be located. In other words, this proposal seeks to provide an enlarged sports arena on the same location as previously consented, resulting in the applicant being only able to carry out either of the proposals independently, in the event that planning permission is granted for this proposal.
11. The design of the proposal has been based around incorporating two existing school teaching blocks (Blocks B & E – as shown on ‘Proposed Ground Floor Plan’ Page D2.4) at either end of the sports arena. The High School has a specialism in sports, having sports college status, and as such there is a certain emphasis on cross curricular learning linked with sports and related subjects. The design of the sports arena and teaching facilities for science and maths in close proximity to each other would allow these subjects to be linked with sports science and physical activities much easier and reaffirms the sports college status.
12. The sports hall and activity hall are essentially the same design as previously approved under the original BSF consent; however they have been rotated through 90 degrees. Externally, the building involves a combination of brickwork and metal and laminate cladding panels. This part of the proposed building is the closest distance to residential properties (located in Chestnut Drive) and would be some 55 metres away from the façade of the rear of the houses, and located on a 45 degree angle from the façade of residential properties. This element of the proposal contains no external windows, relying solely on artificial lighting, heating and ventilation to prevent solar glare and overheating from within the sports complex building.
13. The largest of the new sports spaces, the multi-use sports arena, is designed to a standard sufficient to hold international standard roller hockey tournaments. Its proposed location is adjoining the sports hall and activity hall, and sits alongside the school playing fields and external multi-use games areas. As this element of the facility has been designed for spectator sports, part of the proposal allows for 430 spectator seats which can be folded-back to make way for an increased floorspace, should the need arise. As previously outlined, the proposal has been designed to accommodate ancillary facilities such as changing, showering and toilet facilities, together with office accommodation and a servery area serving light refreshments and snacks overlooking the school sports pitches.
14. The proposed building has been designed with two dedicated entrances, one for public community use and the other for school pupils and staff. The community entrance would be clearly demarcated for pedestrians from a new vehicle car park area, to be located to the south of the sports arena, and from the main pedestrian footway into the site from Bullockstone Road.
15. The proposal involves the creation of a new 76 space car park which would be accessed from Bullockstone Road. The site of the proposed new car park is currently being used as a contractor’s vehicle entrance/compound as part of the ongoing BSF building works. It is intended that the new car park would provide dedicated spaces for

### Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680

---

community sports centre users for the duration that the proposed sports centre would be open. In addition, the applicant proposes that at times of international standard roller hockey matches, all school parking would be made available for cars and sufficient space made available to facilitate coach drop off and collection facilities.

16. In terms of landscaping, the application proposes to complement the design of the remodelled school with this application, proposing landscape planting in the new car park and around the new sports building.

#### Planning History

17. Recently, planning permission has been granted for the following development at Herne Bay High School:
- New sixth form area, fitness room, gymnasium and sports extension, dining and examination room extension and external works including additional parking for visitors in September 2002, under reference CA/02/703;
  - New artificial tennis courts and associated floodlights at the meeting of the Planning Applications Committee on 11 February 2003, under reference CA/02/1371;
  - New vehicle entrance and car park in September 2003, under reference CA/03/1204;
  - Extension to school dining room in September 2004, under reference CA/04/1219;
  - Creating of new single storey vocational centre at the meeting of the Planning Applications Committee on 8 November 2005, under reference CA/05/1109;
  - BSF Application - Partial demolition of existing school buildings and alterations and extensions to form new entrance block, roofing over existing courtyard and new sports hall together with associated hard and soft landscaping and the provision of temporary mobile accommodation during the construction period at the meeting of the Planning Applications Committee on 24 June 2008, under reference CA/08/316.

#### Planning Policy

18. The key Development Plan Policies summarised below are relevant to consideration of the application:

- (i) The adopted 2009 **South East Plan**:

**Policy CC1** – Seeks to achieve and maintain sustainable development in the region.

**Policy CC4** – Refers to sustainable design and construction.

**Policy CC6** – Refers to sustainable communities and character of the environment

**Policy S3** – States that, local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities.

**Policy S5** – Increased and sustainable participation in sport and recreation should be encouraged by local authorities.

**Policy S6** – The mixed use of community facilities should be encouraged by local authorities.

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

**Policy NRM1** – Water supply and ground water will be maintained and enhanced through avoiding adverse effects of development on the water environment.

**Policy NRM4** – Refers to sustainable flood risk management.

**Policy NRM11** – Requires Local Authorities to secure the greater use of renewable or low-carbon energy in new development.

**Policy W2** – Sustainable design, construction and demolition.

**Policy TSR3** – Opportunities will be sought to develop new regionally significant sports facilities.

(ii) The adopted 2006 **Canterbury City Council Local Plan (Saved Policies)**:

**Policy BE1** – The Council will expect proposals of high quality design that respond to the objectives of sustainable development by having regard to, amongst others, the need for the development, accessibility and safe movement within the proposed development, the landscape character and way the development is integrated into the landscape, the conservation of natural features, and the form of the development.

**Policy BE15** – Prior to the determination of applications for development that may affect a known or potential site of archaeological interest, developers will be required to make provision for an appropriate archaeological evaluation.

**Policy NE1** – Where development proposals are being considered for a site known, or likely to have protected habitats or species, developers will be expected to carry out a survey and present proposals for mitigation measures.

**Policy NE5** – Development should be designed to retain trees, hedgerows, woodlands or other landscape features that make an important contribution to the amenity of the site and the surrounding area.

**Policy C1** – In considering the location or control of new development, or the relocation of existing activities, the Council will, amongst other matters, take account of the following principles: controlling the level and environmental impact of vehicular traffic; providing alternative modes of transport to the car by extending provision for pedestrians, cyclists and the use of public transport.

**Policy C4** – Proposals considered to have significant transport implications are to be supported by a Transport Assessment and Travel Plan which shows how multi-modal access options will be achieved, and how transport infrastructure arising from the expected demand will be provided.

**Policy C9** – Kent County Council's adopted Vehicle Parking Standards shall be applied to development proposals.

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

**Policy C24** – Proposals which would result in the loss of protected open space where, amongst others, where material harm would be balanced against demonstrable need for the development.

**Consultations**

19. **Canterbury City Council:** has raised no objection, but noted that no detailed information has been submitted in respect of surface water drainage disposal. The site is in an area of known drainage problems and it is therefore imperative that full details of drainage are submitted and the City Council consulted on this information in due course.

**Divisional Transportation Manager:** makes the following comments:

- Disappointed that transportation/highway implications have not been fully assessed as part of this application;
- Introduction of an improved community facility at the school site would have an impact on local highway infrastructure, particular during organised events. Therefore, considers that improvements in respect of footway links should be provided to realise the aims and objectives of the School Travel Plan. New pedestrian link to the site would encourage sustainable travel to the community facility and school;
- Notes that the School Travel Plan has not been revised to incorporate the new facility and this should be completed before the new centre is brought into use;
- There is footway provision to the north, linking the existing southern vehicular access to the public footpath via a Zebra Crossing, which in turn leads to the Thanet Way Footbridge. It would be appropriate for footway links to be further improved by extending the footway fronting the school to the existing footway at the north. Footway links should also be provided to the south to link with the access to the proposed centre. These highway improvements would provide a continuous footway link for pedestrians travelling north, removing the need to cross Bullockstone Road or for pedestrian traffic to enter the main school grounds;
- As per the northern footway improvements, there is also scope for the provision of new footway on Bullockstone Road (leading to a residential area to the south of the school site, known as 'The Fairway'). This scheme would require the removal or realignment of the existing fence and vegetation bordering the playing field and the installation of a new combined footway/cycleway. This scheme would encourage users originating from the south to walk/cycle to the site.
- Feel that these highway improvements are reasonable in terms of the scale of the proposed scheme. However, should both elements (the southern and northern footpath extensions) not be considered acceptable, suggest that the land required for the southern footpath is set aside by the school for future improvement;
- Coach turning facilities should be secured within the site to ensure that all coaches leaving the site exit onto the highway in a forward gear before parking off site in dedicated coach parking facilities.

**Environment Agency:** has no objection, provided conditions are imposed on any planning permission granted covering: drainage, contamination and fuel, oil and chemical storage measures.

**Police Architectural Liaison Officer:** no comments received to date. Any views expressed ahead of the Committee meeting will be reported verbally.

**Sport England:** raises no objection under their statutory playing field duty, but instead raises a number of concerns, including:

### Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680

---

- The impact of the development on tennis provision at the site has not been addressed;
- The applicant has yet to demonstrate that the proposed development is an appropriate replacement for The Pier Sports Centre; and
- The intended community use of the sports centre will be compromised by the design and internal layout of the development (particularly due to access, circulation and changing provision).

In view of these outstanding concerns, Sport England maintains a non-statutory objection to the application. Without prejudice to this position, should your Council be minded to approve the application, Sport England would expect conditions covering:

- The Sports facilities be designed to satisfactory design standards and in accordance with the relevant Sport England Guidance Notes;
- The sports hall and arena to be marked out for the intended multi-use; and
- A community use scheme and sports development plan to be prepared and implemented.

**The County Archaeologist:** notes that previous archaeological investigation at the site has demonstrated a high level of archaeological activity. As such it is possible that the proposed development works may disturb archaeological remains, and therefore a condition covering the archaeological evaluation of the site and any safeguarding measures should be imposed on any consent.

**Commission for Architecture and the Built Environment (CABE):** has made 'no comment' on the proposal due to having been consulted on more schemes than they have the resources to deal with.

**County Fire Safety Officer:** no comments received to date. Any views expressed ahead of the Committee meeting will be reported verbally.

#### Local Members

20. The local County Members, Mrs. J. Law and Mr. D. Hirst, and the adjacent local County Member Mr. A. Marsh were notified of the application on 7 May 2009.

#### Publicity

21. The application was publicised by the posting of four site notices at the main entrances to the school along Bullockstone Road and Greenhill Road, a newspaper advertisement, and the individual notification of 147 neighbouring residential properties.

#### Representations

22. I have received 7 letters of objection from local residents to date in respect of this application. The main points of objection are summarised under key sub-headings below:

##### Relocation of Pier Sports Centre

- Feel that this is not the most convenient place to site such sports facility. This area of the town is somewhat isolated with poor public transport links and pedestrian access only available across the Thanet Way. Surely a better location would be on land between the allotments and the Postal Sorting Office which would negate the need to cross the Thanet Way for pedestrian access.

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

- Cannot comprehend why the Pier Sports Centre is being taken out of Herne Bay Town. A lot of money has been channelled into improving and regenerating the sea front. It attracts locals and visitors alike and obviously enjoys a certain amount of passer by and visitor revenue generated by its current locality. The proposal to remove a facility from the central access of the town and hide it away in a semi-rural area seems ludicrous.
- To state that there is no alternative site for the relocation of the Pier is of course not true. Although not on the sea front the Memorial Park attracts a lot of social activities and there are areas next to the new youth club or where currently three side by side tennis courts are, plus an area of open land next to them which could accommodate the new pavilion and would retain the facility as central to Herne Bay.
- Question what will happen to the existing Pier structure?

Flooding and Drainage

- Concerns that scale of development proposed, without adequate surface water drainage measures, will further exacerbate flooding issues as the houses nearby are lower than the school grounds;

Parking and Highway Issues

- Insufficient car parking both in existing (118 spaces) and planned (76 spaces) to accommodate the vehicular traffic generated by this substantial multi-use facility. The School's own Travel Plan recognises "On site parking can be a problem during the day and evenings when the local community uses the school". Whilst it is noted that additional spaces are to be provided, it is considered that traffic hazards in and around the school will continue to prevail;
- No provision for coach parking which must surely be a requirement being in mind the proposed new uses. Incidentally, this observation should come as no surprise to the School as we have been approached with a request to provide parking spaces for coaches at the Driving Range; clearly a need not satisfied at present nor planned for in the new proposals;
- Urge the Council to give further consideration to on-site car and coach parking, together with appropriate traffic management measures, to ensure that traffic hazards are minimised and pedestrian safety maintained;
- Traffic issues are a big bone of contention for Greenhill Road and Chestnut Drive residents at present, particularly as a result of overflow parking from the main campus site.;
- The Greenhill Road/ Bullockstone Road is not in great shape now, it will require a great deal of improvement, resurfacing, adding double yellow lines to both sides of the road so traffic will flow through and a 20 MPH speed limit;
- Request a Council Tax reduction for the extra volume of traffic noise and air pollution that all this increase in traffic will bring.

Amenity

- Suffer from light pollution from existing school sports pitches and worry that new buildings will increase light pollution levels to unacceptable levels;
- Concerned that the high buildings are proposed very close to the rear of our property will have an impact on our privacy and we will be overlooked by high level windows;
- Increase in noise levels and the security of our houses could be compromised with the free access to the school grounds;
- Question whether there are any plans to improve the perimeter fencing at the rear of the houses in Chestnut drive because at the moment the wire fencing is mostly broken and inadequate;

### **Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

- Feel that yet again the school plans are taken without any real regard for the adjacent residents and just play lip service to any genuine concerns that we have;
- Feel that the main sports arena will be too readily visible from both Chestnut Drive and Oaks Avenue given its proposed height – further consideration should be given to lowering it or sinking it partially into the ground in order to reduce its overall impact. Should neither of these be available, suggest that provision is made for the planting of mature trees to achieve the same result;
- Loss of natural daylight from nearby gardens as a result of height of building;
- No details in the application what steps are being taken to protect surrounding homes from the noise that will undoubtedly be generated once the proposed development is up and running. This is most important as noise from roller hockey matches played on the Pier Pavilion is currently dissipated out towards sea;

#### Opening Hours

- Opening hours mentioned for the scheme are far too long and can only adversely affect by way of noise pollution, what is after all a residential community with a large number of elderly people within it. We feel that a closing time of 10pm between Monday to Saturday and 9pm on Sunday would be far more reasonable from the standpoint of the surrounding community;
- Proposal would result in an unacceptable noise disturbance up until 11pm on weekdays.

### **Discussion**

#### Introduction

23. The application seeks planning permission for the partial demolition of existing school buildings and alterations and extensions to form a multi-use sports arena and activity hall (to relocate some of the existing facilities from the Pier Sports Centre, including roller sports facilities) and the creation of an additional service car park. The application proposes to increase the total amount of on-site sports facilities by approximately 1900 sq. metres over and above those already consented through the school's BSF programme. The application is being reported for determination as a result of the objection received from local residents, predominantly relating to access and highway, amenity and hours of opening concerns, as summarised in paragraph (22) above, together with the non-statutory objection received from Sport England relating to internal building design issues.
24. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (18) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance in this case include the potential impact on the local highway network as a result of this proposal, the visual appearance and dominance of the proposed sports arena/hall building on the surrounding and wider landscape, and the amenity impacts arising from the hours of use of the proposed development on the surrounding residential area.

#### Relocation of The Pier Sports Centre

25. The relocation of the Pier Sports Centre was approved, in principle, by Canterbury City Council in November 2007. As part of the current proposals, the intention of the City



**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

Council is to relocate the existing functions presently taking place within the Pier to Herne Bay High School (as being considered under this planning application) and to extend the Herons Sports Centre in Herne Bay town centre by 2011. Members will note that residential concerns have been expressed ranging from comments relating to the High School not being the most convenient place to site such sports facility; questioning why the sports centre is being taken out of the town centre when money is being channelled into improving and regenerating the town; and why an alternative site has not been found on a more accessible site. Questions have also been raised relating to the future of the Pier structure itself.

26. The majority of these issues are not directly relevant to the consideration of this application and would be better presented to Canterbury City Council, given that the facility is currently owned and managed by an independent company on behalf of the City Council. Furthermore, it is noted that significant levels of public consultation have already been undertaken as to the principle of this scheme as part of Canterbury City Council's Herne Bay Area Action Plan preparation. Based on my current understanding, I am led to believe that an independent charitable body, known as The Herne Bay Pier Trust, has been established as a local community organisation to promote the interests of the Pier in anticipation of the relocation of its existing sports facilities.
27. It is however, important to note that as a matter of principle, the relocation of the Pier's existing sports facilities is not a matter for this Committee to consider. It is instead, for the Committee to consider the planning merits of the new (relocated) sports facility at the Herne Bay High School campus as discussed below. Therefore, matters relating to the broader regeneration of Herne Bay, any alternative sites within the town centre being more appropriate and what happens to the existing Pier structure are not directly relevant in this instance.

Impact on highway network and vehicle parking

28. Members will note that one of the key concerns raised by local residents to the proposal is that of the potential impact of the development on the highway network and concerns over the amount of on-site parking. To address the potential parking shortfall as a result of the proposed sports arena, the application proposes the construction of a new dedicated service car park. This element proposes 76 additional car parking spaces at the site which would be accessed directly from Bullockstone Road. The location of the proposed new car parking facility would be sited on land currently occupied by a contractor's compound, in association with the current BSF building works taking place at the site. This proposed new car park would lead directly onto the new sports arena and would allow the safe and easy movement of users of the sports centre to park and walk to the main entrance without the need to cross the main High School site.
29. On the basis that the sports arena has been designed to hold international standard roller hockey events, as the current 'Pier Sports Centre' already does, I considered that the proposed new 76 space car park would not be sufficient to meet the needs of the new centre exclusively. In the event of major events, the sports arena has been designed to cater for 430 spectator seats which would inevitably result in additional vehicle movements to the site above and beyond the 76 new spaces being proposed in this instance. Therefore, the applicant has indicated that when these major events take place, for which it is anticipated to be a maximum of six per year, overflow vehicle parking would be made available within the school's existing 118 space car park. It is also proposed that given a number of coaches are likely to arrive at the site bringing 'away' teams of players and/or spectators, facilities would be made available within the school's current bus turning lay-by to allow coaches to enter the site and drop off/collect

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

people before leaving the site to park in dedicated coach parking facilities within the main town of Herne Bay. This mechanism is proposed to be written into any future operational contract between the School and the management company who would subsequently operate the sports centre to ensure that any potential highway issues arising from major events are satisfactorily addressed. It is also noted that these major events would only take place during weekend or school holiday periods when the main operation of the school is not taking place. In order to control these measures, I propose that conditions be attached to any future planning permission requiring coaches to turn within the site using the existing bus turning facilities and leave the site in a forward gear before driving to dedicated coach parking within the town centre, together with a condition requiring all existing school parking to be made available for use in the event of major events. I consider that these measures would adequately control these elements of the proposed development and would be in accordance with the professional advice received from the Divisional Transportation Manager.

30. From a daily operational perspective, the applicant has considered that the provision of a new 76 space car park would be sufficient to meet the average daily demands of the proposed new community sports centre. Members will note that the Divisional Transportation Manager has not raised an objection to this element of the proposal. I would however, seek to ensure that either by way of the erection of appropriate signage or suitable parking control measures, that the new 76 space car park proposed is made available for the users of the community sports centre and not filled as overspill parking for the main school campus. I consider that such measure should ensure that any potential issue with sports centre users parking on the highway outside of the site is minimised during the normal operation of the sports centre.
31. Members will note that the Divisional Transportation Manger has requested that the applicants provide additional footpath improvements in the locality as part of the proposed scheme. The Divisional Transportation Manager has considered that such measures should be provided to encourage sustainable travel to the site by foot passengers. Discussions are currently on-going with the applicants with regards to these off-site improvements, and therefore I propose that any recommendation to grant planning permission is made subject to the resolution of the outstanding highway improvements. On this basis, I consider that the principle of the scheme can be established, but the detailed improvement works which are felt necessary by the Divisional Transportation Manager can be agreed prior to any formal consent being issued and subsequently implemented.
32. The existing School Travel Plan already recognises that there is a well-established pattern of travel to and from the site, and that a large amount of students access the site by walking from the nearby catchment area of Herne Bay. It is expected that a number of people would also adopt such approach to travel by foot to the proposed new sports complex given the large catchment of people within a 20 minute walk of the proposed sports centre complex. In addition, the application proposes that cycle parking facilities would be up-graded at the site to ensure that the facility would be sufficiently provided for in terms of cycle parking facilities, in line with the Kent Vehicle Parking Standards and Policy C1 of the Adopted Local Plan. Furthermore, it is considered that as a result of the proposed development, the existing School Travel Plan would need to be up-dated to reflect the up-dated school transport situation, together with the transport implications arising from the proposed sports centre.
33. Members will note that local residents have suggested that off-site works, such as the painting of double yellow lines on dangerous bends surrounding the campus, the parking of white lines to prevent parking on the highway surrounding residential

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

properties, and the reduction of the speed limit of Bullockstone Road to 20 mph in the event of permission being granted. I understand that parking outside of the High School site by student and staff cars is of concern to local residents, but note that this is a matter for residents to address to the Highway Authority as it is not an aspect which is controlled by the County Planning Authority. I consider however that the provision of a new 76 space car park should help alleviate any potential parking concerns associated with the proposed new sports complex development. I further note that the reduction of the speed limit on Bullockstone Road to 20 mph is a matter for the highway authority in this instance, and not one which the County Planning Authority has any jurisdiction over.

34. On the basis of the highway matters discussed above, whilst I recognise that traffic related issues are of concern to local residents surrounding the campus site, I do not consider the current proposal to be of such significant impact to warrant an objection on highway grounds. I note that the Divisional Transportation Manager has requested that additional off-site footway improvements take place as part of the proposed scheme, for which discussions are still on-going with the applicant. Subject to the satisfactory resolution of these outstanding highway matters, I consider that the current proposal meets the requirements of Policies C1 of the Adopted Local Plan, and accordingly would not seek to raise an objection on these grounds.

Design, scale and overshadowing

35. It is noted that the proposal involves the partial demolition of an existing school building, which I do not consider to be worthy of retention, being of no particular architectural merit. The application proposes the erection of a modern standard sports hall, a large sports arena and a secondary sports/activity hall. The design of the proposed building comprises of a mix of materials ranging from yellow facing brickwork to match those of the main school and the recently approved BSF extensions, metal and laminated cladding panels and aluminium casement windows. The roof of the proposed sports centre is proposed to be a metal standing seam roof, the exact colour of which would be approved as a 'reserved matter' following the grant of any planning permission. Members will note that plans showing the elevations of the proposed sports centre have been included on previous pages D2.5 to D2.8 inclusively.
36. In essence, the sports centre building proposed under this application is essentially the same design as previously consented under the original BSF application, albeit it significantly larger in its massing and rotated through 90 degrees. The north elevation of the proposed building which would face the closest to residential properties (located in Chestnut Drive) would comprise of a blank façade of brickwork and metal cladding with no external windows. This part of the building would be located some 55 metres away from the façade of the rear of the houses, and located on a 45 degree angle to the line of the rear elevations of the houses. Taking into account of the scale of the proposed building, the distance to the nearest residential properties and the directional movement of the sun during the day, I am satisfied that the proposal would not result in an unacceptable loss of light in nearby residential dwellings as suggested by local residents. Furthermore, having observed the current site boundary between the closest residential properties and the school site, it is considered that a substantial reduction in sunlight already occurs given the dense vegetation along this boundary.
37. In terms of potential overlooking issues of nearby residential dwellings from inside the sports hall/arena building, as previously mentioned the building is not proposed to have any windows on the north facing elevation, therefore eliminating any potential overlooking concerns. Instead, the sport hall/arena is proposed, in the main, to use artificial lighting, heating and mechanical ventilation measures to control the

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

temperature within the sports areas and reduce solar glare. It is noted therefore, that the only windows looking out towards the nearest residential properties would be those from existing teaching classrooms which are already in situ on the school site. I therefore do not consider that an objection on overlooking matters can be sustained in this instance.

38. In terms of the visual appearance of the sports complex building from outside of the site, there would be a noticeable change to the East and South elevations facing Bullockstone Road and the West elevation facing onto the existing sports field. Whilst it is noted that the proposed sports complex building would stand out as a dominant feature on the school site, and surrounding landscape, it is considered that it would not be 'out of place' given the predominance of sports activities at the site, including extensive flood-lit tennis courts/multi-use courts and the sports status the High School currently holds. Furthermore, it is noted that one of the key features of sports complex buildings are large and relatively bulky buildings given the internal space requirements including a high internal ceiling height. I am mindful that the applicant has incorporated the use of matching materials within the proposed design, together with the use of metal and laminate cladding panels to 'break-up' otherwise blank brick-work elevations.
39. Members will note that Sport England have maintained a non-statutory objection to the proposed scheme, largely based on the internal layout of the proposed sports centre building. Whilst it is important to consider the concerns raised in this instance, given that the objection is a non-statutory objection (i.e. not relating to their statutory playing field protection policy) the application would not have to be referred to the Secretary of State should members be minded to resolve to approve this application. It is noted that the concerns of Sport England in this instance relate to technical internal building design layout issues, which are not strictly speaking planning matters in their own right. That said, I consider that the provision of these technical aspects could be controlled by planning conditions to ensure that the internal sports facilities are designed in accordance with the relevant Sport England Guidance Notes and that the sports arena is marked out for its intended multi-use games provision. Furthermore, I consider that a Community Use Scheme and a Sports Development Plan could also be controlled by planning conditions requiring their submission and future approval in consultation with Sport England. On this basis, I am minded to ensure that any future decision include appropriately worded planning conditions to safeguard the Sport England concerns, as outlined in paragraph (19) above.
40. I consider the design of the proposed scheme to be appropriate in terms of its design, scale, layout and massing, whilst considering the impact on surrounding residential visual amenity to be noticeable, but not detrimental, given the separation distances and the location proposed. Whilst I consider that wider views into the site from surrounding areas would change as a result of the proposal, I do not consider the design of building proposed to be out of character with the sports status the High School currently holds. Accordingly, I consider that the design solution proposed is in accordance with Policy BE1 of the Canterbury City Council Local Plan. On this basis, I would not seek to raise an objection on design grounds, and would accordingly recommend that a condition be placed on any decision to require the submission of a detailed scheme of external materials for later consideration.

#### Noise & Light Pollution

41. Members will note that concerns have been expressed relating to the potential nuisance arising from increased background noise levels from the additional sports facilities, and the potential increase in light pollution, particularly during night time periods. In terms of

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

noise impacts, it is noted that all new sporting activities are proposed to take place within the three sports areas of the new building – the main sports arena, sports hall and sports hall/activity area. As previously noted, the proposed sports areas would benefit from mechanical heating and ventilation and therefore could be described as a sealed area. In noise impact terms, any potential noise break-out could only therefore occur as a result of noise travelling through walls and to residential properties beyond. I am therefore not expecting that noise break-out from the proposed sports complex would be significant in this instance. Furthermore, it is noted that the main sports arena area, which would be used for major international standard events, would be located the furthest distance from the nearest residential properties in Chestnut Drive, thereby further reducing the possibilities of significant noise break-out from major events.

42. Whilst it is noted that the applicant is seeking permission to operate the sports centre until 23:00 hours Monday to Friday evenings, 24:00 hours on Saturday evenings and 22:30 on Sunday and Bank Holiday evenings, I consider that given the only sports activities taking place within this time period would be internal sports activities within an enclosed purpose built building, adverse noise impacts are not considered to be significant on surrounding residential properties. I therefore consider that the applicant has been able to demonstrate that nearby properties would not be adversely affected through noise break-out from the proposed new facilities, and therefore consider that an objection on these grounds cannot be sustained. However, in order to safeguard this position, I would seek to ensure that details of mechanical ventilation measures be submitted for approval to ensure minimum noise break-out associated with this element of the proposal.
43. In terms of any additional external lighting proposed on the sports complex building, it is noted that the only additional light sources would be associated with the installation of bulk-head light fittings for security purposes around the building. I have also received confirmation that no external floodlighting would be installed on the perimeter of the proposed building. I therefore recommend that a condition be placed on any decision requiring the submission of an external lighting scheme for the further approval of the County Planning Authority in order to ensure that nearby light sensitive residential properties are safeguarded. With such measure proposed, I would not seek to raise an objection on the impact of the development on nearby dwellings through light pollution.

#### Landscaping

44. I note that the applicant has outlined proposed landscape planting measures to visually soften the proposed sports complex and new car park developments. I support such landscaping measures in line with Policy NE5 of the adopted Local Plan, and recommend that such measures be conditioned on any future decision to ensure that the proposed species, sizes and densities of all new planting is acceptable.

#### Impact on Open Space designation

45. As previously noted, the playing fields of the school site are designated as open space in the Adopted Canterbury City Council Local Plan. Policy C24 of the Local Plan sets a policy presumption against the loss of protected open space where the material harm would outweigh the need for the development. However, in the case of this particular application the open space designation is not, in my opinion, materially affected given that the majority of the new building works are located outside of this land designation on the southern edge of the school's existing 'built cluster'. It is noted that the proposed sports centre complex building would be located outside of the formal designation,

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

whilst the proposed new car park would be located on land currently forming part of the Open Space designation.

46. Whilst it is unfortunate that a relatively small area of Open Space would be lost as part of the proposals, in reality this triangular shape of the proposed car park area does not play a valuable part in the open space of the site at present. As previously noted this area is currently being occupied as a contractor's compound area, and upon completion of the BSF building works would return to a grassed area. However, this area is too small to form any useful space for sporting or recreational purposes, and given the acute need to provide additional parking within the site, I consider that the applicant has been able to provide a demonstratable need for the new car park in this location in this particular instance. On balance, I therefore consider that any impact on the formal Open Space designation would be minimal and would not seek to raise an objection on these grounds.

#### Construction works

47. In order to ensure that construction methods and practices would result in the least possible disruption of local residents and the wider road network, I recommend that a condition limiting the hours of construction be placed on any decision to limit the effects of construction activities during weekday evenings, and weekends given the site's location in a largely residential area. Accordingly, I recommend that a condition controlling the hours of construction seeks to ensure that construction activities can only take place between the hours of 08:00 to 18:00 Monday to Fridays, and 09:00 to 13:00 on Saturdays, with no working on Sundays or Bank Holidays. Furthermore, I note that a condition requiring the same hours of construction as outlined above was placed on the current BSF building works taking place on site. From my experience to date, it would seem that such hours are appropriate to the site surroundings and I have received no complaints from local residents relating to these hours based on the current building works.
48. In order for construction traffic to access the site, the application proposes that the current on-site contractor's compound would be utilised, thereby reducing the need for an additional compound area to be established on site. The applicant envisages that the proposed building works would take place in tandem to the current BSF building works, and the last phase would involve the removal of the contractor's compound and the construction of the new car park on its footprint. In order to ensure that the proposed new sports complex does not formally open for community use until the new car park has been installed, I propose that a suitably worded condition be placed on any decision to ensure that the provision of the new on-site vehicle parking is fully implemented and operational before the centre is brought into community use. Furthermore, to ensure that minimal construction impacts are experienced on the surrounding highway network, I would seek to ensure that a condition be placed on any decision to ensure that significant levels of mud and debris are not tracked onto the highway as a result of construction activities.

#### Opening Hours and Community Use

49. Members will note that the applicant has proposed the following hours of operation for the community facilities: 08:00 to 23:00 hours Monday to Friday; 08:00 to 24:00 hours on Saturdays and 08:00 to 22:30 hours on Sundays and Bank Holidays. It is noted that these hours reflect those currently operated at the Pier Sports Centre in Herne Bay Town Centre, and that any new facility would need to offer the same operational hours

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

given the existing sporting activities which currently take place within the current facility and ultimately the commercial viability of the relocated sports centre.

50. Whilst I note that concerns have been expressed by local residents relating to the extent of the late-night opening hours of the proposed facility, I note that all activities which would take place at the site would only take place within the confines of the building. Therefore, any potential noise disturbance is only likely to be associated with pedestrians/vehicles moving to and from the site during late night periods.
51. I note that a number of existing clubs currently use the site for out of school hours community activities during weekday evenings and weekends. I therefore note that a certain degree of community use is already taking place at the site, albeit not to the extent being proposed by this application. In terms of planning policy, I also note that Policy S5 of the South East Plan encourages sport and recreational activities to be encouraged and supported by local authorities, whilst Policy TSR3 recognises the opportunities to develop regionally significant sporting facilities. I therefore consider that there is strong policy support for this application in principle.
52. In addition, Sport England has requested that conditions be placed on any decision to grant planning permission to ensure that all new sporting provision is developed in accordance with their adopted design guidance, and that within 6 months of the first occupation of the sporting facilities, a Community Use Agreement and Sports Development Plan should be submitted to and approved by the County Planning Authority. In my opinion, I have no objection to these recommendations, and accordingly suggest that conditions be placed on any decision to secure these matters.
53. On balance, whilst I consider that the proposed hours of opening are significantly greater than those currently operated by community activities at the school, and that the location of the proposed facility is within a predominantly residential area, it is considered that the benefit of the new sporting facility to the local community which is essentially the relocation of an existing facility, would outweigh the potential concerns in this instance. Furthermore, I consider that the proposed hours of operation would take place solely within the fabric of the building, resulting in a minimal impact on the surrounding amenity during late-night periods. I am also mindful that the reduction in the hours of opening of the new centre as opposed to the current hours of opening of the existing sports centre, would result in the loss of sporting activities for the local community and also, although not directly a material planning consideration, the impact on the commercial viability of any new sports facility. It is noted that the demand for sports facilities within Herne Bay are currently high, particularly in the run up to the London 2012 Olympics, and I would therefore not wish to reduce the community sports facilities within the local area through any reduction in the proposed opening hours of the relocated sports centre. Whilst the balance between the hours of opening in terms of safeguarding nearby residential amenity and the potential loss in the amount of available sports facilities in the locality are finely balanced in this case, I am minded to support the proposed hours of operation of the facility in this instance.

Land Contamination, Drainage & Flooding Issues

54. The Environment Agency has raised no objection to the proposed development, but has suggested that conditions be placed on any decision to grant planning permission to control the disposal of foul and surface waters, drainage into groundwater or surface waters, land contamination and the storage of fuel, oil and chemicals on site during construction activities. I consider that the imposition of such conditions would be

**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

reasonable in this instance, and subject to these being included in the recommendation, would not seek to raise an objection these aspects of the proposals.

55. Members will note that objections have been received from local residents, as outlined in paragraph (22) above relating to the potential for the proposed scheme to increase the amount of surface water run-off from the site, thereby increasing the likelihood of flooding of nearby properties. As part of a review of surface water issues at the site, a report has recently been undertaken investigating the impacts of the High School site on surrounding residential properties. It was found that building works at the school in recent years have not adversely impacted upon surface water run off in the vicinity.
56. Furthermore, it is noted that the proposed development's footprint would be located in the main on an area of existing hardstanding, currently occupied by hardstanding of pavements, and an existing playground, together with current school buildings which would be demolished as part of the scheme. The applicant has indicated that if anything, the proposed development would actually improve surface water management in this location, given that an appropriate drainage scheme would be specifically designed for the management of surface waters. In this instance, I do not therefore that an objection on this matter can be sustained, and would accordingly recommend that a condition be placed on any decision requiring such scheme to be implemented as approved by the County Planning Authority, in conjunction with the City Council.

#### Archaeology

57. Members will note that the County Archaeologist has suggested that the previous archaeological investigation at the site demonstrated a high level of archaeological activity. As such it is possible that the proposed development works may disturb archaeological remains, and therefore a condition covering the archaeological evaluation of the site and any safeguarding measures should be imposed on any consent. I consider these suggested conditions to be appropriate to the scale and nature of the proposed development, and accordingly recommend that they are included within a recommendation to grant planning permission. I further note that such conditions would be in accordance with Policy BE15 of the Adopted Local Plan.

#### **Conclusion**

58. Having regard to the Development Plan Policies, and the material planning considerations received from both consultees and local residents in this instance, I consider the proposal to be an acceptable solution in terms of its design, scale and massing and in general accordance with the Development Plan. Whilst I consider that the issue surrounding the proposed hours of operation of the relocated sports centre in a predominantly residential area are finely balanced against potential loss in the extent of the sporting facilities on offer within the town should the proposed hours be reduced below those currently taking place at the Pier Sports Centre, I am minded to accept the proposed hours of use in this case. I am conscious that I would not wish to see any potential loss in the extent of community sports facilities, particularly in the run up to the London 2012 Olympics. On balance, I therefore consider that planning permission should be granted for this proposal, subject to the resolution of the outstanding footpath improvements requested by the Divisional Transportation Manager (as set out in Paragraph 19 above), subject to the following conditions as set out in paragraph (59) below:



**Provision of multi-use sports arena and activity hall at Herne Bay High School, Bullockstone Road, Herne Bay - CA/09/680**

---

**Recommendation**

59. I RECOMMEND that SUBJECT TO THE SATISFACTORY RESOLUTION OF OUTSTANDING HIGHWAY IMPROVEMENTS, that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including amongst others, conditions to cover the following aspects:

- Standard time limit ;
- The development to be carried out in accordance with the permitted details;
- Full details of all external materials to be submitted to and approved prior to the commencement of operations;
- Details of mechanical ventilation measures be submitted for approval;
- Site levels and finished floor levels shall be submitted to and approved prior to any works commencing;
- School travel plan be updated prior to first occupation of development to take account of the new sports complex;
- Parking to be made available out of school hours within the site in connection with the sports centre use;
- Adequate measures be taken to ensure that vehicles leaving the site engaged in the construction work do not deposit mud or other debris on the public highway;
- Construction works only take place between the hours of 08:00 to 18:00 Monday to Fridays; 09:00 to 13:00 Saturdays; and no working on Sundays or Bank Holidays;
- Landscaping scheme to be submitted to and approved prior to the commencement of operations on site, and thereafter be fully implemented as approved within the first planting season following the completion of works;
- Programme of archaeological evaluation;
- Surface water drainage scheme be submitted for approval by the County Planning Authority in liaison with Environment Agency and Canterbury City Council;
- Land contamination;
- Fuel, oil and chemical storage measures;
- Submission of a Community Use Scheme and Sports Development Plan to be approved in writing by the County Planning Authority in conjunction with Sport England;
- Details of external lighting to be approved by County Planning Authority;
- Control of mud and debris on highway in connection with construction activities;
- Coach turning facilities made available at all times on site;
- Coaches leaving site do so in a forward gear and park off site in designated coach parking;
- Sports hall to be marked out for intended multi-use;
- Internal layout designed in accordance with Sport England Guidance Notes;
- Implementation of new car park prior to bringing the sports complex into use by the community;
- Hours of use of internal facilities of new sports centre be limited to - Mondays to Fridays: 08:00 to 23:00 hours, Saturdays: 08:00 to 24:00 hours, Sundays and Bank Holidays 08:00 to 22:30 hours;

Case officer – Julian Moat
----------------------------

01622 696978
--------------

Background documents - See section heading
--

This page is intentionally left blank

## **Victoria Way Link Road, Ashford – AS/09/460**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 August 2009.

Application by the Kent Highway Services for Victoria Way Initial Phase – single carriageway 2-way with footways between the existing Leacon Road and Victoria Road, Ashford (Ref: AS/09/460)

Recommendation: permission be granted subject to conditions

**Local Member(s): Mr J Wedgbury**

**Classification: Unrestricted**

### **Site**

1. The proposal site is on the edge of the current Ashford town centre and is part of the proposed extended town centre known in the Local Development Framework as the “Southern Expansion Quarter”. The application site is a corridor of 580m long land between Victoria Road in the east and Leacon Road in the west. The width varies along its length between 24m and 30m with a minimum width on the approach to Leacon Road. The site comprises 2.19ha of land. It is located just west of Ashford International Station, to the south of the Ashford to London railway line and runs parallel, north from the River Great Stour. At its western end, the corridor borders Leacon Road with employment land to the north and south of Leacon Road. Victoria Park is present to the south beyond the Great Stour. The land was formerly used as a power station.
2. A Public Right of Way (PROW), known locally as the Learning Link, crosses the corridor at its eastern end. This provides a dedicated pedestrian and cycle link between the town centre and Victoria Park and South Ashford. Victoria Road Primary School, an office development (Cherry Court) and electricity sub-station are located adjacent to the Learning Link and the eastern end of the Victoria Way corridor. Towards the west the Victoria Way corridor crosses Gasworks Lane and a further footpath leading to Victoria Park. The topography of the site is generally level with a slight gradient to the southeast.

### **Background**

3. The adopted Local Development Framework (LDF) Core Strategy recognises the Victoria Way link road as a key infrastructure project for Ashford, which would provide an alternative route to the former town centre ring road and would cater for additional traffic that is likely to arise with growth. It would also provide a key public transport link east-west for the proposed development sites of Chilmington Green and Cheesemans Green. The LDF also identifies that the road would open up the area south of the railway for major development opportunities. Specifically, Victoria Way would play a significant role in unlocking the development of the Southern Expansion Quarter (SEQ) and thereby the growth of the Town Centre. Its route runs through the centre of the SEQ area and therefore gives the ability for development and redevelopment sites lying to either side to achieve an acceptable form of access.
4. The transportation strategy set out in the Greater Ashford Development Framework (GADF) and Town Centre Area Action Plan (TCAAP) promote a shift in vehicle movement from a traffic dominated ring road to a network of streets and spaces that connect the town centre with surrounding neighbourhoods. This project is a key to that aspiration.

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

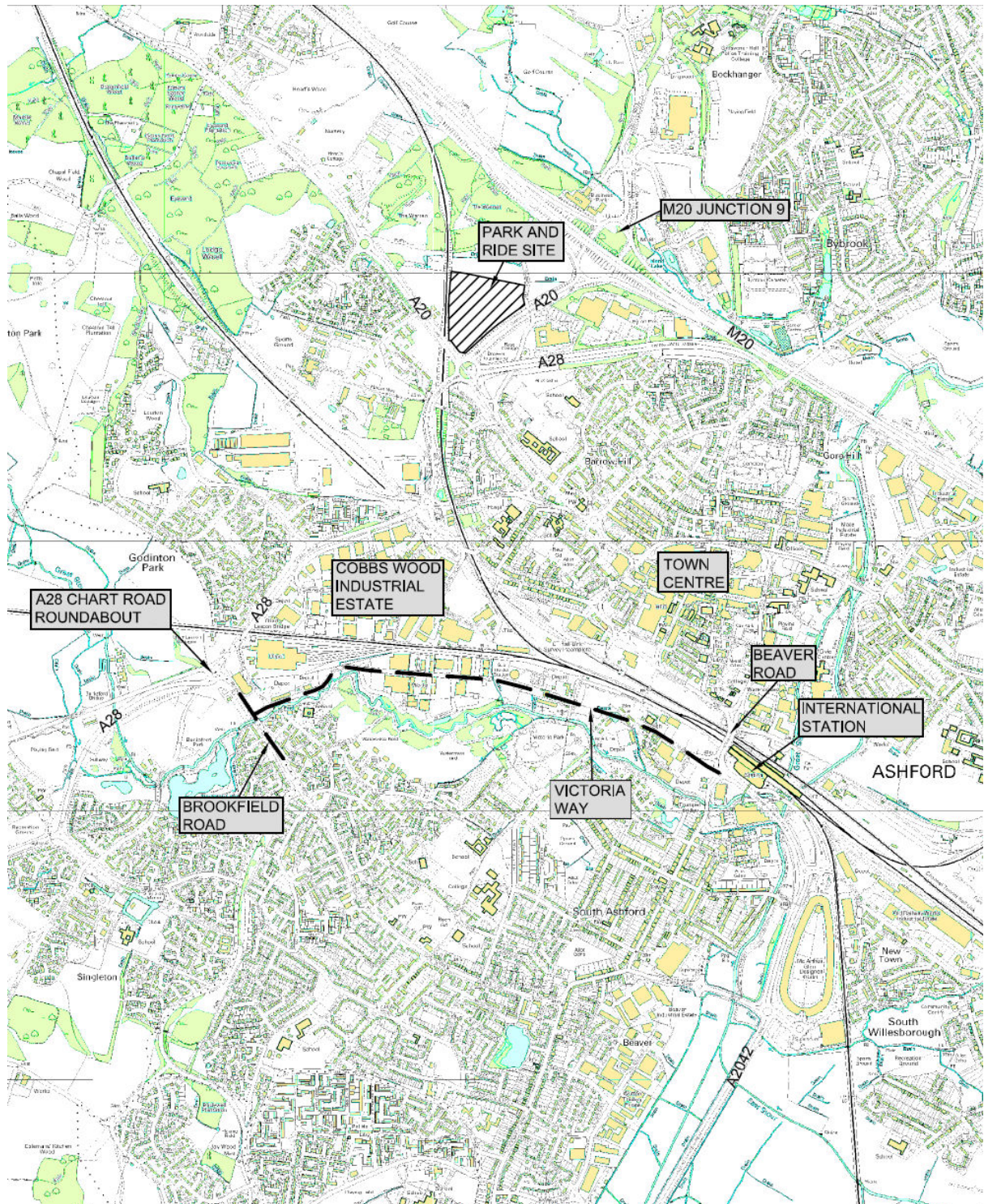
5. The current proposal is part of a wider one for a new east-west route between the A2042 Beaver Road/Romney Marsh Road and B2229 Brookfield Road/A28 Chart Road to be known as Victoria Way. That scheme is intended to act as a catalyst for the expansion and regeneration of the Town Centre necessitated by Ashford's planned growth presenting new opportunities for commercial and residential development in areas that would otherwise be inaccessible. The other improvements needed to deliver the full Victoria Way route are located within the public highway and therefore do not need the benefit of planning permission, however this report describes the scheme in its entirety where this is relevant to the consideration of the application.
6. The 580m corridor is currently bounded by derelict land to the north and south, which has planning permission for mixed use development. Several developments along Victoria Way have received planning approval including Ashford Learning Campus, the Bellway Homes and the ZED Homes proposals.
7. A key planning permission was given on appeal in July 2008 to ZED Homes for development on land to the north and south of the routes. The outline application (ref. 05/01716/AS) was for the demolition of existing buildings and the construction of a mixed use development comprising 1002 residential units, 8229 m<sup>2</sup> gross of commercial floorspace and associated car and cycle parking, including a car park for public use of up to 500 spaces. The appeal permission contains a requirement that the land to the west of Gasworks Lane cannot be occupied until a road on the route under consideration in this application, be made available and open to traffic.
8. Also, there is planning permission for the Learning Campus and a further permission for the Bellway Homes site on the south side of Victoria Road for a mixed use scheme, which both have a bearing on the development of the proposed route.
9. The submitted Planning Statement sets out community involvement in the scheme including meetings with stakeholders, questionnaires, exhibitions, etc. held before the scheme was finalised and submitted. A number of groups have been working on delivery of the Victoria Way project, including an overarching Steering Group and an integrated design team who established the key principles.
10. The Economic Statement identifies that the construction of Victoria Way would act as a catalyst for the expansion and regeneration of the Town Centre through:
  - supporting the delivery of jobs and homes in the SEQ;
  - add significantly to local Gross Domestic Product;
  - improve the accessibility and sustainability of the Learning Campus;
  - regenerate previously developed land;
  - improve walking and cycling links between South Ashford and the town centre;
  - improve access to rail services;
  - reduce congestion and journey times thus adding to the attractiveness of the area for business investment and increasing land values.

*Need*

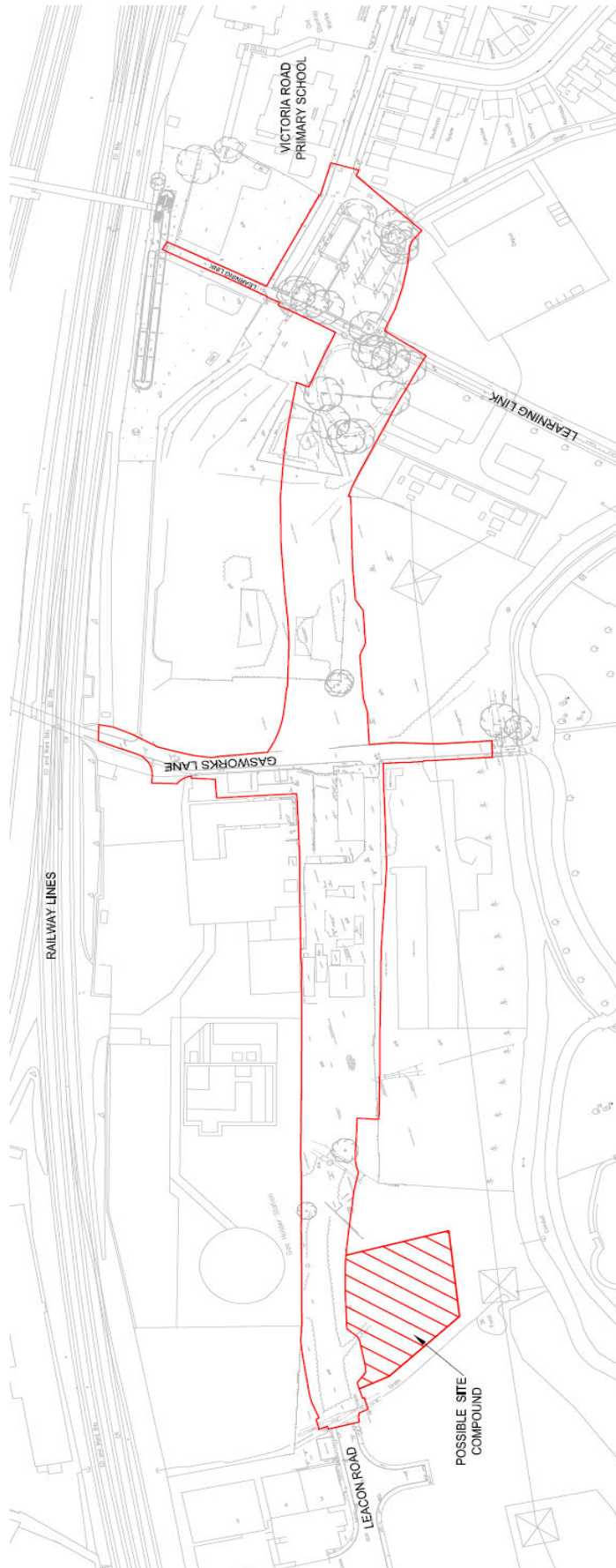
11. The Planning Report concludes that the benefits of the scheme would be:-
  - Improved highway connectivity with vehicle access to new development sites and a through route improving access to the south-west of Ashford and the Leacon Road industrial area.

Victoria Way Initial Phase, Ashford – AS/09/460

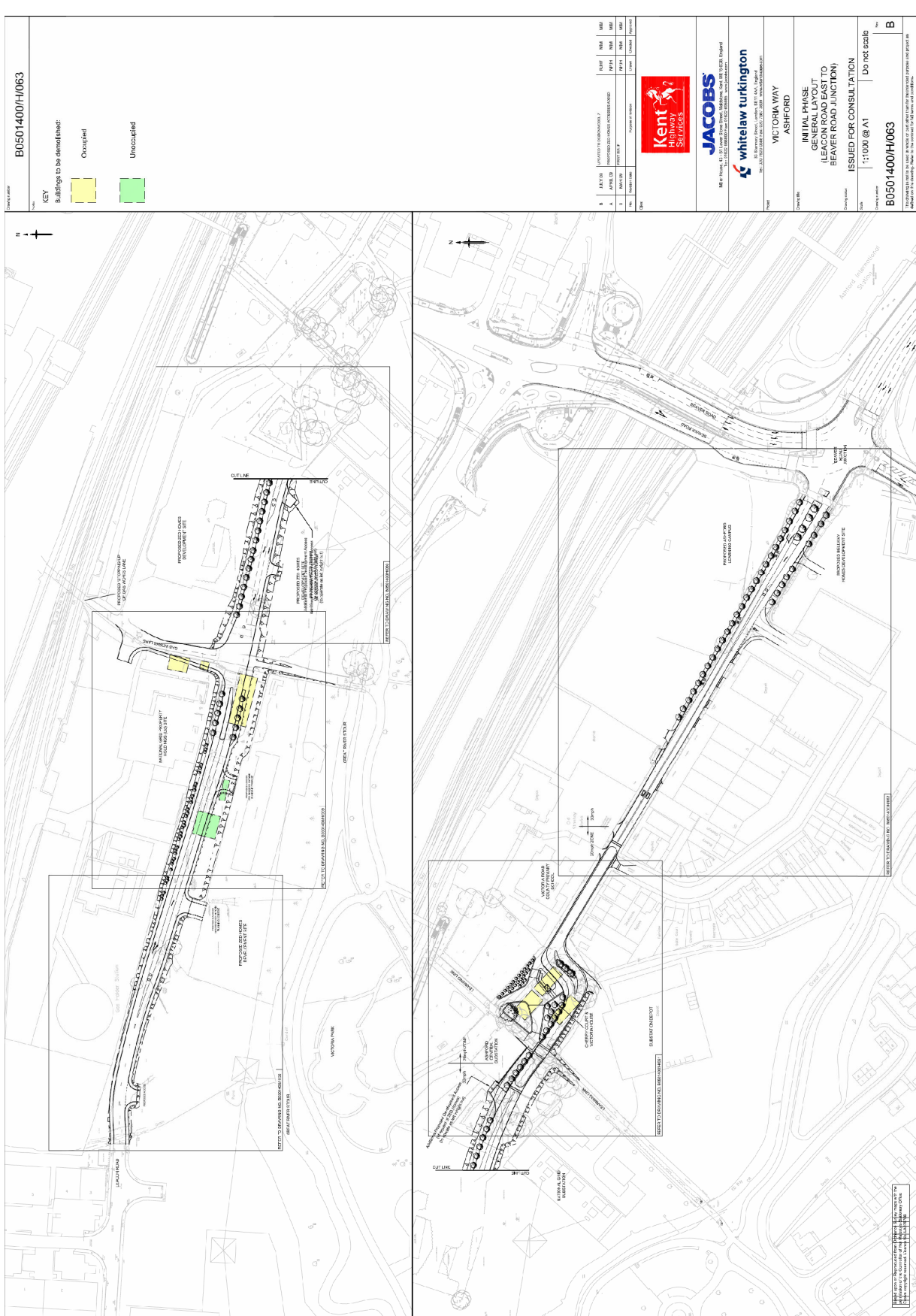
Site plan



Proposal



Victoria Way Initial Phase, Ashford – AS/09/460



**Victoria Way Initial Phase, Ashford – AS/09/460**

---

- A high quality public realm to support sustainable transport movements along the corridor and across the corridor via the Learning Link at the proposed Victoria Square
  - Improved walking network connectivity providing enhanced links to development sites and the Leacon Road area from the Town Centre and railway station. The future vision for the corridor is also one of improved cycle network connectivity through public realm improvements funded by developers
  - The opportunity for the road to be used as a public transport corridor by local bus services and potentially Smartlink, the future bus rapid transit system for Ashford
  - Support for the Ashford parking strategy, by facilitating development that should provide a 500 space Multi Storey Car Park for the Town Centre
  - Reduced congestion and journey times on Elwick Road and the B2229 Brookfield Road.
  - Reduced community severance caused by road traffic in South Ashford
  - Overall reduction in crashes resulting in personal injuries in the Ashford urban area.
12. The proposal has been considered against the criteria set out in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, as the size of the site and nature of development makes it a Schedule 2 project where EIA might be necessary. However, I have concluded that the scheme would not have significant effects upon the natural environment and therefore no Environmental Impact Assessment is needed for this particular scheme. A screening opinion was issued to that effect.

**Ownership**

13. The site area includes land in a variety of ownerships. From Jemmetts Path to Gasworks Lane it runs through the former Gasworks Site that was the subject of a planning permission issued on appeal on 3<sup>rd</sup> July 2008 to ZED Homes for residential and commercial development. From Gasworks Lane to Leacon Road there is a multiplicity of landownership interests including part of Southern Gas networks site, Ashford Borough Council land, National Grid and Zed Homes again. There are other land interests also involved.

**Funding**

14. On 27 March 2009 the Government announced that Victoria Way had been awarded £16.5 million in funding from the Community Infrastructure Fund. The vision for the road is: "To create a high quality urban avenue, providing excellent public transport links to the wider growth areas and unlocking development sites for the expansion of the Town Centre".

**Proposals**

15. The proposal is for 580m of a new road link between Victoria Road and Leacon Road in Ashford. It follows the existing Victoria Road to Cherry Court/Victoria House from where a new road would be constructed across mainly disused land to join the end of Leacon Road at the Fairwood Industrial Park. It is noted that the application relates only to the land associated with the new highway. Although, where it is relevant, some changes to the existing highway that would form the remaining part of Victoria Way are also discussed. This is appropriate as the highway is in the ownership of the applicant.



**Victoria Way Initial Phase, Ashford – AS/09/460**

---

16. The road would be constructed on an embankment ranging from 1m to 2m in height.

*Phasing*

17. The route would be delivered in phases and this planning application relates to the “initial phase”. The final vision cannot be delivered at the outset and must wait for development sites adjoining to be progressed to deliver the full scheme. The role of the initial phase is to construct the 580m of new carriageway to provide a connection and enable development of adjacent land. The intention is to establish the northern edge of the final vision in Phase 1, with future phases potentially amending the southern edge. This application also includes delivery of a new civic square adjacent to the Victoria Road Primary School to be known as Victoria Square and sets standards for the quality of materials for future phases. A number of trees would be planted as part of Phase 1.
18. Phase 1 would also provide a route for the planned Smartlink (rapid passenger transit system) to take existing traffic out of the Town Centre and provide some of the agreed improvements to the Learning Link (Jemmetts Path).
19. The road is designed to operate to a 30 mph speed limit, with a 20 mph zone around the primary school and Victoria Square. The layout involves a single lane in each direction generally 3.25m wide with a continuous footway on the northern side. Parking restrictions would be imposed. Three buildings currently occupied by Southern Gas Networks, two unoccupied buildings on the abattoir site, Victoria House and Cherry Court would all be demolished to allow this to happen. Detailed design is expected to be complete by October 2009 and construction complete by March 2011.
20. A future Phase 2 would depend on land ownership issues, public transport requirements and emerging development opportunities but may also be subject to the allocation of further funding. However, a Phase 2 design strategy is critical to realising the vision for the road.

*Road from east to west*

21. At the point where Victoria Road joins Victoria Crescent a 20mph zone would commence, identified by appropriate contrasting paving and a ramp. Access out of Victoria Crescent would cease. The works requiring planning permission would commence at the level of property no 40 Victoria Road. The new road swings sharply southwards as a traffic calming measure and around a new area of public open space to be created and known as Victoria Square. The details of the treatment of this square are to be approved in due course, however it would incorporate the Smartlink bus stop on its eastern side, some changes in level, planting, a pavilion that could be used for events, street furniture, etc. New screening to shield the school playground and adjoining sub-stations would be erected until such time as those sites are redeveloped. Over 50 new large/small/medium trees are shown planted along the road and the square, mostly in the grassed verge. Jemmetts Path (Learning Link) is shown widened and repaved in matching materials. A toucan crossing would be provided here.
22. The course of the new road then ramps down and the 20 mph zone ends. It then continues along a virtually straight course to Gasworks Lane. The carriageway varies in width to accommodate a wide footway to the south (with scope for a possible Smartlink westbound bus stop), right hand turn lanes and two lanes of traffic at Gasworks Lane intersection. On the northern side, the treatment consists of a planted gravel verge with paved footway behind and on the south side a paved footway with grassed embankment only. 25 medium sized trees would be planted. The road would be built on an embankment, which at this point would be approximately 2m high. There are 3 access points indicated along this stretch of the road.

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

23. At the intersection with Gasworks Lane, the access into the northern section of Gasworks Lane is shown widened to accommodate larger vehicles. The pedestrian route southwards to Victoria Park is proposed to be resurfaced with bituminous surfacing. There is a signalised junction with 3 pedestrian crossings defined by 10 new trees to either side of the road. A new footway is provided along the west side of Gasworks Lane. One access point is shown at Gasworks Lane. The route then continues swinging slightly northwards until it meets Leacon Road. Bituminous pathways would be provided along both sides of Victoria Way west of Gasworks Lane with grassed embankments beyond. There are another 3 access points indicated on the drawings. A right hand turn lane to the land to the south is shown within this part of the carriageway. At the junction with Leacon Road, the carriageway width narrows to coincide with the design of that road. The embankment height is some 1m high.

*Sustainability and safety*

24. The sustainability credentials of the scheme are also set out including the use of brownfield land, improved cycling/pedestrian/public transport routes, use of recycled materials, local labour, waste minimisation strategy, LED technology for lighting, new tree planting, wildflower grassed areas, sustainable drainage systems. Public realm and lighting improvements would be made to the whole route – these would be designed and subject to approval at a later date. This would aim to ensure the personal safety of cyclist/pedestrians.

*Victoria Square*

25. The landscape and urban design approach is set out in full including the unique design features of the scheme such as the gateways to visually indicate to the motorist that they are entering a slower urban street, the approach and function of Victoria Square and the treatment of the edges. It is noted that some amendments have been proposed since the original submission. Originally, Victoria Square was to be a modern interpretation of a Kentish town square, but since the Smartlink bus stop was introduced to the east of the Square this function would change the image of the Square. As a result the strategy for landscaping within the Square has been changed into more of a green space, while retaining some of the geometrical features and play/seating area for the public to use. The concept of screening to separate the school playground and square from the electricity sub stations is also set out – this is likely to be a mesh with some permeability and incorporating lighting.

*Other highway improvements outside the application area*

26. To the east of the application area, there will be improvements to the existing length of Victoria Road, within the limits of the existing highway. This would include some resurfacing and new tree planting around the new junction with Beaver Road and along the Learning Campus boundary. The applicant advises that the existing footways/kerbing will be extended and resurfaced with a 2m zone finished in bound gravel planted with large/medium sized trees (approximately 41 in total), behind which would be a 2m wide paved pedestrian and cycle zone on the north side and a minimum of 4m on the southern side. This would be provided up to the junction with George Street on the southern side and to the Thales building on the north side, at which point the widths would reduce to the level of the existing footpath although with new paving on the north side and black-top on the southern side. A bus lane has been added here. There is a planted central reservation for the first 20m of the route. This is one of two “gateways” in the scheme - the other being at Gasworks Lane.
27. To the west of the application area, improvements would be made to the junction of Leacon Road with the B2229 Brookfield Road including the provision of traffic signals.

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

*Transport modelling*

28. Transport modelling on the impact of Victoria Way and development along it has concluded that in 2011 (when the scheme is due to open) and in 2016 traffic impact on the A28 would be marginal. By 2021 Victoria Way is predicted to become a more popular route into town as other routes become more congested and by 2031 significant use is being made of the route. In all years, journey times along it are significantly better than other alternative routes available. At scheme opening in 2011 there would be 650 vehicles exiting at Leacon Road in the morning peak and 850 vehicles exiting at Victoria Road, rising to 950 and 1600 respectively by 2031 with fairly similar numbers in the evening peak. Traffic flows on Brookfield Road, Beaver Lane and Norman Road all fall – in the case of the latter by 3,000 vehicles a day. The small section of Brookfield Road between Leacon Road and Chart Road will rise and this is proposed to be off-set by traffic signals with pedestrian and cycle phases.
29. The applicant expects significant improvements in walkability. The current cul-de-sac nature of Leacon Road and Victoria Road means that people often need to take poor, circuitous walking routes or not at all. Victoria Way would improve access to the Leacon Road employment area – an additional 3,141 residents would be able to walk from south-east Ashford to Leacon Road within 30 mins and an additional 3000 people would be within 30 mins walk time of Ashford International. 1500 people would be within 30 mins walk time of the Learning Campus site.
30. Around the school, any additional traffic flows would be mitigated by speed reduction measures, the creation of a square which could be used by waiting parents and although on-street parking facilities were also proposed, a recent amendment has deleted this facility. Formal crossing facilities would be provided.

*Alternative Schemes*

31. The publication of the GADF and an initial LDF Core Strategy Options report led to some residents and businesses expressing concern over the extent of regeneration proposed in the Victoria Way area. The initial concept included a larger regeneration corridor. The Victoria Way Corridor Delivery Study was undertaken in 2005 to assess a number of route options for Victoria Way, including a consultation workshop with residents and business group representatives. Six alignment options were appraised in the study: Railway Alignment (1), Victoria Way Alignment (2), Southern Alignment (3), Revised Southern Alignment (4), Tunnel Alignment under Elwick Road (5) and Brookfield Road Alignment (6). The feedback from the workshop and the results of the initial appraisal work resulted in the preferred route (Option 2) for Victoria Road being chosen and used as a basis within the Ashford Town Centre Area Action Plan.
32. Since the 2005 Study, it has been established that a dual carriageway and road bridge over the railway to Cobbs Wood is not required before 2031, however the “24m wide corridor” would still be established in order to allow for future flexibility in providing additional bus lanes, parking, cycle lanes or turning lanes; maintain an appropriate street width to building height ratio and help provide additional pedestrian space and scale for a retail street; and allow for the provision of extended pedestrian areas which are key to the vision of a vibrant urban avenue.

**Applicant's Assessments**

33. *Contaminated land* -The site contains a mixture of made ground, alluviums, clay and other natural soils. Historic uses such as scrapyards, gasworks, slaughter house, etc. meant there is potential for contamination and this has been assessed as including heavy metals, hydrocarbons, etc. The groundwater is similarly contaminated. As most of the road would be constructed on an embankment of imported soils the proposed scheme would create a barrier between future users and contaminants. Drainage

- would be constructed in such a way that locally contaminated surface and groundwater could not enter the system. Excavated material would be disposed of appropriately.
34. *Flood Risk* – Assessment has been carried out as the scheme is located in an area at high risk of fluvial flooding (zone 3a). The proposed road would cross existing drainage routes altering local catchment areas and boundaries. The main source of flood risk is from the River Great Stour as the route lies within its floodplain. The applicant states that there is a negligible impact on flood levels for the defended floodplain, however there is an impact of some 60mm on the undefended floodplain. This would not create a significant impact on the proposed development in this area. The new road would have finished surface levels above the 1 in 100-year undefended floodplain level plus climate change, as required by PPS25 (Flood risk), to allow it to remain operational and safe in time of flood. Culverts under the road would allow surface water drainage to the river. The proposal is described as essential infrastructure and it is assumed by the applicants therefore that it should pass the Exception Test to PPS25 on this basis.
  35. *Noise and vibration* – The introduction of the Victoria Way Scheme would result in a new noise source into an area not currently dominated by road traffic noise. It would also affect noise levels on existing routes. Elevated noise and vibration levels can be expected during the construction phase, however as a detailed construction schedule is not yet available with detailed activities and timings a detailed assessment is not possible at this time. During the operational phase there would be major adverse noise (in excess of 10 dBA) and vibration impact on sites nearest to the road (Victoria Road School and Victoria Road properties no. 30-40, Riverside School, 28-39 Clockhouse). Elsewhere the impact would be minor or negligible. Mitigation is proposed for the construction phase but not for the operational phase at present. It is stated that noise would be monitored following the opening of the road to see if there is eligibility for noise insulation under the Noise Insulation Regulations 1975.
  36. *Air quality* – Reductions in air pollutant levels are predicted for properties located in close proximity to Brookfield Road, Beaver Lane, sections of Chart Road and sections of Maidstone Road. Properties close to Victoria Road and Leacon Road would experience increased levels of air pollution. There would also be a regional increase in carbon emissions as a result of increased journeys due to the development. No mitigation is proposed.
  37. *Lighting* – The principle would be to create zones with dimmable lights to reduce electricity consumption. Particular attention would be given to Victoria Square to maximise its use.
  38. *Public Art* -The underpinning theme is that of the work of John Wallis – a mathematician born in Ashford. This theme would be interpreted through the use of geometry, shape and movement particularly in the Square although details have yet to be worked out. Details would be submitted at later stage.
  39. *Trees* - A full tree survey within and immediately adjoining the site has been done. A total of 572 trees would be unaffected. 315 trees, 2 hedges and 1 shrub mass would be lost. Of these 276 are graded C (i.e. of low quality and value). The remaining 35 are grade B. Mitigation for this loss is proposed within the landscaping scheme. As many of the existing species have colonised naturally, the introduction of good quality and diverse tree stock would enhance the visual amenity and landscape character of the area. Three trees on the site are the subject of Tree Preservation Orders. These lie on the boundary of Victoria House and Jemmetts Path and consist of two Limes and a Willow. Two of the trees are either in poor condition or are dying and would be removed. The remaining mature Lime on the corner of the new square would be retained.

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

40. *Heritage* – An assessment of the impacts on archaeology, historic buildings and landscape has been carried out. A study covered an area 250m to either side of the proposed road. The site is located on an area of river terrace gravels, which are potentially rich in Palaeolithic and Mesolithic archaeology. Although sites of historic interest occur within the study area, such as Victoria Park (including the Listed Hubert Fountain) and the Memorial Gardens (both on the Register of historic parks and gardens) and the Town Centre Conservation Area, the impact on these sites is considered negligible. Victorian architecture of interest in the area is also noted. The only site within the scheme area that might have been of interest is the former Victorian power station, however that has been demolished and cleared. The conclusion is that a watching brief for archaeology may be required and that the effect of the scheme on cultural heritage is neutral/slight.

**Recent amended details to the proposal**

41. Following discussions held with the applicant, I have recently received drawings amending the details previously submitted. These were included in the above description of the current proposal and include:
- Footway provided on the southern side of Victoria Way to the west of the Gasworks Lane junction.
  - Pedestrian crossing provided on the west side of Gasworks Lane/Victoria Way junction.
  - Self binding gravel surfacing material specified on southern footway changed to bituminous surfacing and high quality paving around Gasworks Lane junction and towards Victoria Square.
  - Central traffic island added on east side of Gasworks Lane/Victoria Way junction.
  - Trees detailed on central traffic island west of the Gasworks Lane/Victoria Way junction deleted.
  - Carriageway area marked for parking east of the Gasworks Lane/Victoria Way junction deleted
  - Northern kerb line of Victoria Way realigned between Gasworks Lane and Victoria Square
  - Right turn lane on east approach to Gasworks Lane/Victoria Way junction extended
  - Victoria Square layout amended
  - Footway widened on the southern side of Victoria Way west of the Learning Link footpath
  - Alignment of S bend locally modified
  - Minimum carriageway width increased to 6.75m around Victoria Square
  - And to the east of the application site - minimum carriageway width increased to 6.75m, speed reducing feature provided on approach to 20mph zone, bus lane added, southern kerb line locally realigned and tree locations adjusted.

**Development Plan Policy and Government Guidance**

42. There are numerous Development Plan Policies that are relevant in consideration of the proposal. The key policies are summarised below:

**(i) South East Plan**

Identifies Ashford as one of 21 Regional hubs, where the provision of a range of multi-modal transport services supporting the concentration of land uses and economic activity such as that proposed for the town centre and the South East Quarter in particular, and where investment in the transport system should be concentrated.

- Policy CC7 Infrastructure and Implementation. This says that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of the development. Where this cannot be demonstrated the scale and the pace of the development will be dependent on additional capacity being released or the provision of new infrastructure.
- Policy H2 Managing the delivery of the regional housing provision. States that LPAs will need to consider, inter alia, the feasibility of maximising the delivery of capacity unlocked by investment in infrastructure at the earliest possible opportunity.
- Policy T1 Manage and invest. Relates to facilitating urban renewal and urban renaissance as a means of achieving a more sustainable pattern of development. Investment in upgrading the transport infrastructure should support delivery of the spatial strategy.
- Policy T2 Mobility Management. States that development plans should include policies that aim to achieve a rebalancing of the transport system in favour of sustainable modes.
- Policy T14 Transport Investment. States that development plans should include policies that safeguard the delivery of other major projects where they are required to support delivery of the regional spatial and transport policy frameworks or the Communities Plan growth agenda.
- Policy EKA2 Spatial Framework for Ashford Growth Area. Refers to the timely provision of additional infrastructure as a means of delivering new development.
- Policy EKA3 Amount and distribution of housing. States that growth at each location will be supported by co-ordinated provision of infrastructure, employment, environmental improvement and community services. Active pre-planning is necessary to achieve capacity increases in strategic infrastructure and facilities, particularly at Ashford.

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

**(ii) The adopted Ashford Borough Local Plan 2000**

Policy EN32 Prevents loss of important trees and woodlands

Policy TP6 Provision of cycle parking

**(iii) Local Development Framework Core Strategy 2008:**

Policy CS1 Guiding Principles for sustainable developments and high quality design; seeks a wider choice of easy to use forms of sustainable transport to serve developments.

Policy CS2 Boroughwide strategy - land for new dwellings and related uses and new jobs; large scale development proposals will be located in the Ashford Growth Area in line with a compact growth model including the use of appropriate brown-field sites; the delivery of key infrastructure and funding via financial contributions.

Policy CS4 Ashford Urban Area - priority given to identifying brown-field sites for development, developments must help to add to the quality of the urban environment and improve facilities and the connections between areas of the town. Development will need to show how it has been carefully integrated into the surrounding area to improve connectivity and help regeneration in areas currently performing less well.

Policy CS5 Ashford Urban Extension – defines major new development areas. These areas need to be planned and implemented in a comprehensive way that is linked to the delivery of key infrastructure.

Policy CS9 Design Quality development proposals must be high quality design and address issues such as character, distinctiveness, sense of place, permeability, ease of movement, legibility, mixed use and diversity, continuity and enclosure, quality of public spaces, flexibility, adaptability and liveability, richness in detail and efficient use of natural resources.

Policy CS10 Sustainable Design and Construction - incorporation of sustainable design features to reduce the consumption of natural resources and help deliver the aim of zero carbon growth.

Policy CS11 Biodiversity - protect biodiversity and provide for maintenance, enhancement, restoration and expansion through creation or restoration of semi-natural habitats and ecological networks.

Policy CS15 Transport Development proposals should show how all highway, public transport, walking and cycling needs arising from the development will be satisfied. Maximum parking standards will accord with the national standards (currently those set in PPGs 3 & 13) and those in the South East Plan unless superseded by new standards set in Development Plan Documents and except where SPG6 applies.

## Victoria Way Initial Phase, Ashford – AS/09/460

---

Policy CS19 Development and Flood Risk - sets out the approach to all development coming forward within the identified floodplain development in Flood Zone 3 (some of the eastern and southern areas of the Town Centre would normally be resisted but this would potentially run contrary to the overall approach to the town centre's major role in delivering the growth agenda).

Policy CS20 Sustainable Drainage - All developments should include appropriate sustainable drainage systems for the disposal of surface water, normally on-site.

- (iv) Emerging **Ashford Town Centre Area Action Plan (ATCAAP)** policies are also relevant although they are not yet part of the Development Plan:

The history of the Victoria Way proposal starts from the concept being identified in the Greater Ashford Development Framework (GADF), and taken forward in the Town Centre Development Framework, which was a supporting document for the draft ApTCAAP. This was considered by Ashford Members in April 2006, and consulted upon between April and June 2006. The Plan described the site as falling within the proposed Southern Expansion Quarter. The preferred options for this area can be summarised as follow:

### **Preferred Option TC8 – Land between Victoria Road and Leacon Road**

This site is an important missing link in Victoria Way and is an underused asset close to the existing town centre. Proposals for the site will need to complete the missing link between Victoria Road and Leacon Road to the specification of the new Victoria Way and to reserve land for the long-term link over the railway line. The design solution will need to create an attractive street scene, and a pedestrian friendly and high quality sense of place. A high density development of this sort lends itself to a range of innovative sustainable design features. The development will need to be related sensitively to the riverside environment and surrounding uses, providing improved access and enhancing the existing habitat.

### **Preferred Option TC9 – Southern Expansion Quarter**

This is a Quarter of huge opportunity both in terms of the scale of development and the creation of a mixed use environment extending the existing town centre with stronger links to the stations and to the south of the railway lines. It is proposed that allocations of up to 1200 new residential units, 25,000 sq. m of net new office floorspace and 12,000 sq. m of net new retail / leisure floorspace are made in this quarter in the TCAAP up to 2021. High standards will be applied to the pedestrian environment at street level and the creation of comfortable, secure public spaces with a real sense of place as an integral part of the wider town centre and the setting of new buildings.

### **Preferred Option TC14 – Victoria Way**

The preferred alignment for the Victoria Way corridor is from Newtown Road, along Romney Marsh Road and west along the broad alignment of the existing Victoria Road, across the former Powergen site and the gasworks site to link first with Leacon Road and subsequently to link with the A28 Tank Roundabout via the Cobbs Wood Industrial Estate and a new crossing of the Ashford to Tonbridge railway line. This corridor shall form the basis for a safeguarded detailed route in the Submission version of the TCAAP. It should be noted that a supporting document for this, the Town Centre Development Framework identified that a corridor 24m wide to Gasworks lane would be required. At that time, it was envisaged that the corridor would narrow thereafter as a second phase would involve extending over the railways through Cobbs Wood to the Tank roundabout. This part of the final scheme has since been abandoned.



**Victoria Way Initial Phase, Ashford – AS/09/460**

---

**Ashford Town Centre Area Action Plan Publication Document for Consultation – (March 2009)**

The 2006 Preferred Options Report has now been superseded by the above emerging document. It is expected that the final version will be submitted for Examination shortly. However, the Plan recognises the delivery of Victoria Way as a critical infrastructure requirement identified in the Core Strategy.

**Policy TC10 - The Southern Expansion Quarter**

The Southern Expansion Quarter should accommodate a large amount of new development. Proposals which must complement and/or enable the delivery of Victoria Way within the identified route corridor shown on the Proposals Map. Applications for development that would prejudice the delivery of this important infrastructure will be refused. Developments fronting Victoria Way will be required to deliver a finished quality of public realm to the quality set in the Town Centre Design SPD. A new public urban space (Victoria Square) will be created at the intersection of the Learning Link route and Victoria Way in line with the Public Realm Strategy. Developments that would front or surround Victoria Square and/or the Learning Link will need to show how they complement their roles in terms of their use, scale and design. A design brief for this area will need to be agreed by the Council before detailed proposals are considered.

All proposals in this Quarter will need to demonstrate that they will create an attractive urban neighbourhood set in a high quality public realm, based around Victoria Way and with pleasant and easy access to the town centre core and the riverside open spaces. In doing this, proposals will need to respect the relationship with existing residential properties in this Quarter, the riverside landscape and its ecology and the Victoria Road primary school.

**Policies TC 11 - 14** safeguard land for the provision of Victoria Way within which this application site lies.

(v) The National planning guidance that is relevant to this application includes:

**Planning Policy Statement 1** – Delivering Sustainable Development (creating sustainable communities – promotion of mixed use sustainable development –encouragement of high density mixed use development – provision of use of public transport/pedestrians/cyclists).

**Planning Policy Guidance 13** – Transport

**Planning Policy Statement 23** – Planning and Pollution Control

**Planning Policy Guidance 24** – Planning and noise

**Planning Policy Statement 25** – Development and Flood Risk

**Consultations**

43. **Ashford Borough Council:** raises no objection to the proposal and makes the following comments:

“The principle of development is acceptable and accords with the adopted LDF Core Strategy and emerging TCAAP policies. The fine detail of the scheme accords with the approach in the TCAAP, TC Development Framework and other design guidance for Victoria Way. The fine detail of the scheme accords with national planning policies and good practice. The development can provide for appropriate ecological mitigation to be

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

agreed with the local planning authority. The fine detail of the scheme would not be harmful to the residential amenity of nearby dwelling occupants subject to noise attenuation being considered. The traffic movements generated by the proposal can be accommodated as a result of the infrastructure improvements that are required to be carried out to at least 2016 in accordance with Government policy. The development makes provision for access by a range of transport modes and improves accessibility by a range of modes in Ashford generally. The development makes adequate provision for the parking of vehicles and cycles within the application site”.

Further views following the minor amendments to the proposed Victoria Square and some realignment of the road the comments are awaited.

**Divisional Transportation Manager:** Further to submission of the amended plans, Kent Highway Services has no objections to the proposals in respect of highway matters subject to the following conditions being attached to any permission covering:

- provision to accommodate operatives' and construction vehicles loading, off-loading or turning on the site;
- details of parking for site personnel / operatives /visitors and provision prior to the commencement of the development;
- provision for the disposal of surface water so as to prevent its discharge onto the highway;
- adequate precautions to guard against the deposit of mud and similar substances on the public highway, including wheel washing facilities;
- visibility splays being provided and maintained free of obstruction at all times;
- details of the size, design, siting, appearance and materials of all street furniture including seating; litterbins; bollards; cycle racks; pedestrian signage; lighting; and bus shelters; and
- details of the carriageway design including the location, size, design, appearance and materials of the kerb lines; dropped kerbs; tactile paving; pedestrian crossings and vehicle crossovers.

**Environment Agency:** raises no objections subject to the following conditions and makes the following comments:

Ideally the Flood Risk Assessment (FRA) should have used the most recent modelling information. However, this revised data actually estimates slightly lower flood levels than used in the FRA so the potential impact is probably slightly less than suggested. It is also worth re-iterating the fact that under the defended situation, the proposed road will not have any impact in terms of flood storage. The loss of storage will only have an impact if either of the flood storage reservoirs at Hothfield and Aldington are overtopped during flood conditions.

Under such circumstances, the impact would be less than 60mm increase in flood level in the vicinity of Gasworks Lane. This would not create a significant impact on the proposed development in this area, which would already be subject to fairly deep flooding. We also understand Ashford Borough Council intends to compensate for the loss of flood storage under extreme conditions, by creating additional flood storage outside of the Town Centre as described in the greater Ashford Development Framework (GADF), although unfortunately the precise details or the effectiveness of the potential storage have not been described in the FRA.

The recommendations and analysis of risk and liabilities detailed in the submitted Geo-environmental and Geotechnical Interpretative Report (Jacobs Engineering Limited, March 2009) are agreed in principle. However, whilst the general proposals regarding remediation works at the site are acceptable, further remediation work may be necessary to address the potential pollution pathways for this contamination under Planning Policy Statement 23 (PPS23) Planning and Pollution Control. As stated in the

report, groundwater appears to be impacted by contamination thought to have arisen from the use of land north of the development area as a former gasworks site. Work to prevent a possible pathway for this contamination to discharge into the Great Stour will need further consideration. Any remediation work must be carried out in a strictly controlled manner. Temporary surface water controls and management of any materials movement on site is critical to ensure protection of controlled waters near the site.

Acknowledges that the proposed drainage scheme does not involve discharge to ground and therefore has no comments to regarding this.

Any water vole population found on site should be protected

**Southern Water:** raises no objection to the proposal subject to a planning condition requiring details of the proposed means of surface water disposal to be submitted and approved. Further, the advice is that the existing public sewers were designed only for the pre-existing development and so do not have any residual capacity. The proposed carriageway should discharge by means of new piped outfalls to the Great Stour with appropriate attenuation and storage, subject to the necessary consents.

**EDF Energy Networks:** raises no objection to the proposal.

**Union railways Properties:** makes no comments on the proposal.

**Health and Safety Executive:** raises no objection to the proposal.

**BT:** raises no objection to the proposal.

**Network Rail:** no comments received

**Southern Gas Networks:** no comments received

**Public Rights of Way:** raises no objection to the proposal but makes the following comments:

“The proposed new road directly affects public footpath AU37. The path has a recorded width of 6 feet (1.82m) and therefore the footway should retain at least this width. The North to South section of AU37 (shown as the Learning Link) has a minimum defined width of 10 feet (3m) and any parking restrictions provided should ensure this width remains available for the public. The footway should be provided to ensure pedestrian access is maintained along the route. AU37 is one of the most frequently used paths in Ashford and it will be essential that safe crossing points are provided where the new road dissects the path”.

**Natural England:** referred the Council to their standing advice in relation to protected species and County in-house ecologist to assess the potential impacts upon protected species

**County Biodiversity Officer:** raises no objections subject to securing that the recommendations in relation to the habitats are followed.

**Kent Wildlife Trust:** is satisfied with the habitat surveys and wish to offer no comment on the application.

**County Archaeologist:** no objections to the proposal. There are several known heritage sites in the vicinity of this scheme and there is potential for sensitive Palaeolithic remains to survive in the gravel deposits. However, it seems that the road groundwork would stay at a level above the gravels and there would not be any impact on known archaeology. There are some areas where archaeology could still be encountered and provision should be made to ensure groundworks are monitored by an archaeologist. That could be secured by a planning condition.

**County Council’s Landscaping Advisor:** raises no objection to the proposal

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

“The view expressed by the applicant that the scheme traverses a townscape with a fragmented pattern of elements and poorly defined character with low quality and sensitivity is fair. The aspiration for Victoria Way to deliver a high quality urban avenue that contributes to the public realm in Ashford is welcomed.

There is an element of replacement tree planting proposed as part of the scheme although this is not extensive and, there may be merit in discussing with the applicant additional tree-planting. This would be subject to engineering, maintenance and other constraints.

The design of the lighting and screens would provide interest in the public realm and overall the contemporary design approach adopted is appropriate, particularly given the future modern development destined to take place alongside the route. Some minor detailed elements such as moving benches may however, warrant review with the applicant. The visual effects of the scheme would generally be positive.

The proposed scheme is in accordance with the Design Manual for Roads and Bridges and predicts no significant effects on air quality and limits upon the noise environment.

The scheme does lead to a significant noise increase to properties along Victoria Road and depending upon how the finalised scheme ties into the current carriageway, consideration should be given to possible mitigation measures, in particular the primary school is particularly vulnerable. The report identifies where these adverse noise impacts would occur and says mitigation measures would be considered upon the opening of the scheme (in accordance with the legislation) in order to provide the most beneficial benefits the provision of the mitigation measures should be considered before the contraction phase commences”.

**Local Member**

The former local Member Mr D. Smyth was notified of the application on the 24<sup>th</sup> April 2009. Following the elections on 4 June 2009, Mr J. Wedgbury was notified of the application on the 3<sup>rd</sup> July 2009.

**Publicity**

The application was publicised by the posting of a site notice and the individual notification of 100 nearby properties, two site notices and a local paper advertisement.

**Representations**

44. 4 letters of representation were received in response to the proposal. The main planning reasons for objections can be summarised as follows:
- The road will only benefit ZED Homes who want to build six 15 storey blocks of flats;
  - The 20mph speed limit outside the terrace 30-40 Victoria Road does not make sense and an alternative route to the north of the train tracks and south from Elwick Road is suggested;
  - Brookfield Road could be widened without knocking down any houses and offices;
  - The Victoria Road scheme may attract anti-social behaviour;
  - Does not understand of what “initial phase” means;
  - Objects to the demolition of good office buildings (Cherry Court) built in 1989 to create open space that nobody wants;
  - There is already an open space across the footpath owned by ZED Homes;

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

- The proposed new Powergen access into the site is resulting in the loss of some short term street parking for the school. As a result of the additional access the school would have access to fewer spaces and those spaces would be further from the school;
- Concern that a Victoria Road resident who has a Blue Badge Permit will not be able to park their car outside homes. There is no facility for off-road parking;
- Acknowledges that the area is suitable for re-development but this should also meet the requirements of the residents;
- Generally supports the application but is concerned that Victoria Way might increase traffic on Chart Road;
- One letter of objection on behalf of the owners of 1 Victoria Road and the Chunnel Estate, who support the principle of the new road but state that there is no highway need for 24m+ road width and road alignment along Victoria Road east of the site towards the Beaver Road Junction, and this idea should be scrapped. A single lane in either direction would be adequate in the future. Planning the road width beyond 2031 (beyond the Ashford's LDF) is flawed. The Planning Statement says this is not needed even in 2016. The Economic Statement does not recognise the negative impact that the scheme is having and would have on exiting businesses due to blight. The economic impact of the loss of Cherry Court has not been assessed. Public consultation has not been adequate. The proposal should not set a precedent for the remainder of the indicated future scheme. They have made objections to Ashford Town Centre Area Action Plan Publication Document for Consultation March 2009, draft policies TC10 and TC11 of this basis. Requested that a planning condition is imposed that no road widening or works shall be undertaken in Victoria Road in the future, including the land marked with blue line;
- National Grid Property (NGP) generally supports the development. NGP's agent considered the application documents, specifically in relation to the future operation of the future junction of Victoria Way / Gasworks Lane and is satisfied that the junction would operate within its capacity when it includes the redevelopment of the National Grid site.

National Grid Property as landowner raises no objection to the access to the National Grid site from Gasworks Lane but objects to the proposal on the grounds of lack of provision of a second access point to the NG site from Victoria Way. In view of the future development potential of the site, they made the following additional comments:

- The NGP's masterplan layout shows, as the draft TCAAP envisages, that the site could be redeveloped with commercial uses at the western Leacon Road end, and with residential uses on the remainder of the site. It would be logical to provide separate accesses to the different land uses, not least to avoid commercial traffic being routed through the site past the residential uses; this would avoid the redeveloped site in its entirety being accessed from a cul-de-sac;
- The Masterplan identifies two phases: Phase 1 which incorporates the eastern part of the site, and Phase 2 being the western part of the site including the gasholder. Phase 1 could be accessed from Gasworks Lane and Phase 2 from Victoria Way. Moreover, two access points would provide a greater degree of flexibility for phasing the redevelopment as a whole, and during the construction period.

**Discussion****Introduction**

45. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph 41 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, the proposal is considered in the context of the South East Plan, the Ashford Local Development Framework Core Strategy, Government Guidance and other material planning considerations arising from consultation and publicity.
46. Consideration is given to the location, impact on the Public Rights of Way, accessibility, public realm, width of the road, drainage and flooding, contamination, ecology impacts, heritage and archaeology, landscape, sustainability, local amenity and construction impacts of the road on the immediate surrounding. In addition, consideration is given throughout to any other material considerations that are brought to the County Council's attention as a result of consultation and publicity.

**Planning policy**

47. The LDF Core Strategy and the Ashford Town Centre Area Action Plan (ATCAAP) identify the road as an important infrastructure project to provide access to developable land south of Ashford's town centre and adjacent to Ashford International Railway Station. The applicant's intention is to create a safer and more direct route both vehicular and pedestrian between western Ashford, the town centre and the International Station. It is also intended to create the opportunity to amend or create new public transport routes for the planned Smartlink. Furthermore, it is intended to improve access to employment opportunities on Leacon Road. In addition, there is a wide range of other policies, which are concerned with ensuring that development is sustainable, of good quality design or local amenity and clearly a balancing of potentially conflicting policy aims will be required.
48. The proposal should also be considered in the context of Planning Policy Guidance 13 *Transport*. This requires that for the key development sites Local Authorities should have a clear vision and have prepared development briefs. I am satisfied that the proposed development complies with that requirement. Additionally, the South East Plan policies support transport infrastructure proposals, which are required to support development in the Growth Area of Ashford.
49. The provision of the Victoria Way scheme is vitally important to the wider regeneration strategy for Ashford, with the town being one of the two key growth areas in Kent. Realisation of key residential and employment site opportunities in the town is fundamentally dependent on improving the infrastructure for the movement of both goods and people, and a through link on the south side of the town centre is a crucial component in that. Land flanking the proposed Victoria Way route includes some major residential and mixed use development sites, some of which already have planning consent for development, as well as a substantial range of existing businesses. Moreover, without the completion of such a link, the full benefits of the down scaling of the former Ashford Ring Road, and the removal of extraneous vehicular traffic from the shared space scheme in Elwick Road, will never be achieved. Releasing the stranglehold that the Ring Road has had on the town centre in recent years will have immeasurable local environmental benefits for townscape quality, local commerce and residential amenity.
50. Overall, I consider that the principle of the proposed development generally accords with the main thrust of the relevant Development Plan Policies. In particular, most of

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

the policies promote the provision of the road scheme, whilst those that promote design quality and sustainability are also generally complied with.

**Location/Alignment of the Road**

51. The design of the scheme has evolved from a well structured design process, which involved a strong steering group and regular engagement with all interested parties. Alternatives taken into account have been discussed in paragraph 31 and 32. Also, various levels of public consultation have been undertaken before submitting this application. The design of the road has been influenced by a number of factors, including the potential for unlocking the brownfield land for development, minimising flood risk, the desire to create a public realm and providing adequate traffic capacity to current design and safety standards. In these particular regards, I consider that the proposed design of the road is the optimum alignment likely to fulfil all those differing objectives of the scheme.

**Public Rights Of Way**

52. The proposed new road directly affects the public footpath AU37. The North to South section (locally known as Learning Link/Jemmett Path) has a recorded width of 10 feet (3 metres). Additionally, a small part of the AU37 path runs alongside the southern edge of Cherry Court, between property no 40 Victoria Road and the Learning Link to the south. This has a recorded width of 6 feet (1.8 metres). The applicant proposes to re-surface the paths within the development site. In my view, the work would improve the quality of the Public Rights of Way. However, I would still recommend securing the minimum widths of the AU37 by a planning condition to that effect if consent is to be granted.

**Accessibility**

53. One of the key development principles is to improve overall access within Ashford. To achieve this goal, the street should allow for a range of transport modes through securing appropriate width of the road for pavements, cycle lanes and buses.
54. Continuous pavements on both side of the road would be provided to accommodate pedestrian traffic associated with active frontages expected to come following the development on adjacent land (browsing shoppers, cafes). A number of pedestrian crossing points are proposed, with the principle of achieving an uncluttered space with a minimum lights, signs, poles or guardrails necessary. The crossings are to be simple and well defined wide crossings. Two additional crossings have been added in recent amendments to the proposal.
55. Whilst the proposed street would support pedestrian movement it would also encourage integrated cycle traffic within the carriageway, which is designed for slower speeds. At this stage there are no dedicated cycle lanes proposed along Victoria Way due to limitations on the width of some parts of the road but it is intended to provide cycle lanes as part of Phase 2 of the development. A good dedicated cycle network exists along the river corridor to the south and also via the Learning Link. Smartlink is expected to run along Victoria Way with a stop adjacent to Victoria Square. Generally, the development is expected to increase the level of activity in the area, as the site is currently rather disconnected from the town.
56. I am satisfied that the development would support overall levels of multimodal accessibility.

**Public Realm**

57. Another key principle of the vision for Victoria Way is to achieve high quality public realm and therefore it is important to secure space for quality landscaping and lighting as well as high quality of materials and street furniture.
58. The creation of the Victoria Square is a very important element of the scheme helping to create sense of place and identity. In my view, since the applicant introduced the Smartlink bus stop within its confines, it is likely to be even busier and more interesting nodal intersection. The vision for the Square itself is to become an “interactive plaza”. The design of the Square with integrated public art and good design seating areas would add to the distinctiveness of the place. Specific details of dimensions and materials associated with the pavilion, street furniture, public art and other materials would be subject to conditions.
59. In the context of the road design, it is expected that the use of the standard highway engineering solutions along the carriageway is kept to the minimum and high quality attractive materials are used overall, to achieve the richness, texture, colour and common interest of the street. Details of the specific choice of materials could be secured by conditions. Additionally, there is a considerable risk that as the refinement of the scheme progresses and further highway safety audits are carried out, there would be pressure to introduce more highway signs and safety features, which would be considered street clutter in the context of the vision for this road. Therefore, to coordinate the necessary street furniture and prevent the incremental introduction of excessive signage, obtrusive utility boxes and various columns (in order to achieve the quality avenue), I support the view that a planning condition should be imposed to that effect if consent is to be granted. To further the process, a highway safety audit should be carried out and submitted as soon as possible in the design stage in order to coordinate the use of street furniture. This would also include details of the dropped kerbs, tactile paving pedestrian crossings to comply with the Kent Design Technical Appendices. A Management and Maintenance Strategy setting out process and funding sources should also be submitted for approval.
60. Street lighting is proposed along the whole route of the road. A highly innovative lighting scheme is envisaged with contemporary style of lighting, combined lighting columns for both the footway and road are proposed, although details of lighting columns, spacing are still being worked up. The applicant advises that particular attention would be given to Victoria Square to maximise its use. A key focus to the proposal for the opportunity to reduce energy consumption, especially in the middle of night by dimming the light intensity.
61. Further, it has been recognised that there is a risk that utility companies could dig up and damage the surface once implemented. With a new section of a road there is opportunity to establish a more coordinated approach to the grouped provision of services in a way that allows easy maintenance without digging up the main carriageway. However, this would also involve cooperation of utility companies, which cannot be guaranteed within the tight schedule of work allowed for the works carried out by the highway authority. Moreover, the County Council is separately investigating new measures to better control street works by utility companies in the County. Under the circumstances, I would have reservations in imposing a planning condition as suggested by the Borough Council, but would recommend an informative about expectation that best endeavours to coordinate the works with utility companies.
62. A regular management and maintenance regime and budget for the scheme has also been raised as an issue that require further clarification. It would be still appropriate to secure clarification and agreement of that point via a planning condition if consent were given.



**Victoria Way Initial Phase, Ashford – AS/09/460**

---

63. However, I am satisfied that the overall aim of the scheme to deliver a high quality street can be achieved, subject to securing detail by the suggested planning conditions.

**Road Width**

64. The issue of the potential future widening of the road beyond the currently proposed width (as shown on the drawings) has been raised. I would advise that the initial phase of the development that is subject to this planning application is to establish the principles safeguarding a 24m wide corridor to facilitate the ultimate provision of a high quality street. The requirement for this width of the corridor has been established after selection of the preferred option following the 2005 Study (paragraphs 31-32). However, at that time, Phase 2 of the road consisted of a bridge over the railway line to the 'Tank Roundabout'. The concept of the bridge has since been ruled out but the current proposal is still consistent with that option. The current proposal would allow for future flexibility in providing multi-modal lanes whilst also providing appropriately proportioned pedestrian space for the vision of a vibrant urban thoroughfare.
65. I consider that the width of the road beyond the width shown on planning application drawings need not be considered in the current planning application. In my view, the concerns expressed relating to the properties away from the application site need to be separately pursued as part of the ongoing TCAAP process led by Ashford Borough Council. The designs for wider sections in the currently proposed road allow for the carriageway to provide footpaths, bus lanes, and filter lanes for vehicles turning right, bus stops as well as landscaping and street furniture. However, I am satisfied that the road has been designed in a sustainable manner to adapt to future changing requirements and needs.
66. Concern has also been raised about the applicant's suspected intentions to widen some sections of Victoria Road, specifically to the east towards Beaver Road Junction. Secondly, a landowner questioned the detailing submitted with the application, which were outlined in blue (land being under applicant's ownership) rather than red (application site), which would suggest that more land will be taken away from the landowner for the road, which would not be in the adjacent landowners' interests. The landowner requested that the Planning Authority should impose a restriction on the future widening of eastern section of Victoria Road marked in blue onto land adjacent to the development site.
67. My view is that the application is for development on land associated with the new highway only, and as set out in paragraph 15 above. The applicant considered it to be appropriate to show the context of the highway beyond the strict boundary of the application (red line) due to the development's nature of linking into the existing road network (Leacon Road and Victoria Road). I advise that Kent Highway Services, as the local Highway Authority, has extensive permitted development rights in relation to work affecting highways and I do not consider it justified to withdraw those rights in the context of this proposal.
68. However, to deliver the future vision of this route, work will likely be carried out both on the missing 580m within the red line area and to highways outside the red line area. The whole road would become known as Victoria Way. Therefore, I consider that it is appropriate to mark the adjacent public highway in blue in the application, and include the scheme in the Discussion section below where relevant.

**Access Points**

69. There are six points of access off Victoria Way onto the adjacent land. Moving from east to west, the first access is immediately to the west of the sub-station adjoining Victoria Square on the northern side of the proposed road. The proposal appears

## Victoria Way Initial Phase, Ashford – AS/09/460

indicative only as the surfacing details are not shown. The access seems to be notional at this stage with the approved development of the ZED Homes, as it would currently direct traffic towards a shop floor of the approved retail unit. It is noted that before the recent amendment this access was in conflict with the implementation of the ZED Homes permission actually encroaching on to the footprint of the building. I would therefore recommend that full details of this notional access point and how it relates to the previously approved layout of the development site that the access aims to serve should be submitted to and approved by the County Planning Authority. All access points discussed below seek access to the land south of the proposed Victoria Way.

70. A *second* access is indicated between two outlined buildings yet to be built. Again, it is shown notionally only with no surfacing details, although it does not conflict with the already approved development for that land. Subject to knowing the details of the access, I have no objection to it being provided. The *third* access is 45m further west. Full details have been provided and are consistent with planning permissions granted by Ashford Borough Council. The *fourth* access would be located 75m west from Gasworks Lane and is again shown notionally. Ashford Borough Council advised that although it had been shown on earlier ZED Homes' application drawings, it does not yet have planning permission, as it was outside the site area of their application. Nevertheless, I have no objection to provision of this access subject to details being submitted. The *fifth* access 80m further west is also notionally shown and is consistent with the planning permission granted to ZED Homes. Details can be secured by a planning condition. The *final* access is 30m east of the new connection with Leacon Road. It is fully detailed and consistent with the earlier planning permission granted by Ashford Planning Authority.
71. Finally, there is one more access to land adjoining Victoria Way. This would be off Gasworks Lane providing access to land owned by National Grid Property. The land owner raised concerns about a lack of additional access to their land directly from Victoria Way, as at the moment their land can be accessed off Gasworks Lane only. In my view, there is no objection to the principle of adding further access points along Victoria Way in the future subject to seeing, as with ZED Homes, how these relate to the development proposals. National Grid Property has yet to submit a planning application for the development of their land.

### Drainage and Flooding

72. Most of the proposed development site crosses the floodplain area of the River Great Stour with much of the site being classified as Flood Zone 3 - High Risk. Planning Policy Statement 25 *Development and Flood Risk* (PPS25) sets a general presumption against development within functional flood plain unless it passes the three elements of the Exception Test - the development must provide wider sustainability benefits to the community that outweighs flood risk, the development should be on brownfield land and it should be safe for its whole life time. Additionally, such sites can be developed if the Local Planning Authority carries out a Strategic Flood Risk Assessment (SFRA), which identifies the land for development. In my view, the Flood Risk Assessment (FRA) clearly demonstrates that the scheme would pass the Exception Test.
73. During the consultation, concern had been raised by the Environment Agency (EA) that the construction of the road might lead to an increase in flood risk on the surrounding sites. However, since then the EA clarified that more recent modelling to that used by the applicant in its FRA shows actually slightly lower flood levels than those used in the FRA so the potential impact is probably slightly less than suggested in the FRA submitted by the applicant.

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

74. Further, I am advised that the TCAAP identifies the Southern Expansion Quarter (SEQ) for development and SFRA has been carried out as part of that process and that of the local Core Strategy. Additionally, Ashford Borough Council advises that the Environment Agency has been closely involved in the allocation of development in the SEQ, which is affected by flooding identified in TCAAP. The view was that flood risk was not affected in the scenario with the existing flood defences but there would be an impact in terms of the undefended scenario. However, the submitted FRA states that the road alignment design confirms that highway levels are going to be above the undefended flood levels and therefore should remain operational and safe during flood. I am satisfied that no additional mitigation measures are required. The Environment Agency has endorsed it and raises no objection to the proposal.
75. I recommend that a condition is imposed that the proposed road is built to the levels identified in the FRA to avoid risk to life in the event of a flood. Also, a condition should be imposed that details of the surface water drainage scheme should be submitted before the start of operational works. Finally, details of the disposal of surface water including the use of an underground crated storage system for discharge to the River should be at a rate of 4l per sec per hectare.
76. Overall, I see no objection to the proposal on the basis of drainage or flooding issues and I am satisfied that adequate mitigating measures have been incorporated into the scheme.

**Contamination**

77. Although the Environment Agency and Ashford Borough Council have recognised that there is land contamination relating to previously developed parts of the site, they raise no objection to the development and any contamination problems can be dealt with via conditions, should the permission be granted. Specifically, there is the possibility of the pollutants already present finding pathways to the river and the installation of a barrier would need to be considered. I recommend imposing planning conditions requesting that the applicant demonstrates how pathways for ground water pollution to the river are to be prevented from occurring and other preventative conditions requested by the EA, which would be appropriate to address any potential contamination issues. Also, since the road is going to be raised above ground level the key issue will be to design an appropriate drainage system, which might include storm cells. This is discussed under the drainage paragraph above. I am satisfied that the development would not cause any harm to either human health or the environment.

**Ecology**

78. The applicant has carried out a number of surveys of the site to identify any ecological and/or protected species that may be found on the site. The reports identify designated sites within 2 km of the scheme but none of these are near enough to the site to be affected by the development. They also identify local wildlife sites including the River Great Stour, which lies immediately adjacent to the site.
79. A site survey has been carried out to look for reptiles on the site. This revealed the presence of common lizard, slow worms, and grass snakes. The proposed mitigation for this consists of the translocation of reptiles to a suitable receptor site owned by KCC. A 10 year management plan would be developed and implemented to ensure the safe future of the translocated population. The mitigation strategy for ecological issues would be submitted later, secured by a planning condition.
80. It has been identified that some 20% of the brownfield land habitat in the area will be lost, which is significant for three reptile species and two invertebrate species present. On site wildflower meadow planting, if suitably managed, would provide replacement habitat for invertebrates.

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

81. A bat survey was also carried out. No bat roosts have been found but common pipistrelle bats are known to forage along tree lines within the site. Given the loss of the trees on the site, the applicant needs to propose appropriate planting to effect an ecological enhancement on the site in order to mitigate against any loss of foraging habitats. Also, I am advised that trees T3 and T4 have features that may support roosting bats and therefore a bat survey should be followed as recommended in the Bat Survey. Demolition should ideally be carried out during September – October in order to minimise the risk of affecting bats whose use of buildings may be sporadic.
82. Although there have been surveys for badgers in the area, the report found there were no badgers setts within the application site and no foraging routes. Similarly, no Great Crested Newts were found. However, there are a number of recommendations of good practice, which should be taken forward by the applicant before the development is carried out.
83. There would also be some effect in relation to nesting birds. The applicant has indicated that in this respect, clearance of vegetation would only be carried outside the bird-nesting season (March to August). In addition, mitigation for nesting birds would be provided here.
84. Contrary to the original Environment Agency's comment, there are no signs of water vole activity within the application site, however the Borough Council advised that there are signs of current activity immediately adjacent to it along the western boundary near to the proposed construction compound where the habitat is considered optimal for water voles. The EA wishes to preserve and enhance the optimal habitat of the western ditch if possible. The EA wishes to see the ditch leading to the pond protected by appropriate fencing as set out in the Water vole Conservation Handbook during construction and compensatory improvements to the ditch to be made to mitigate the loss of approximately 12m of its length due to a culvert under the road. The mitigation should consist of further planting of the ditch to the south of the road or elsewhere if this is not possible due to land ownership constraints. Precautionary measures as identified by the applicant should be taken as recommended in the protected species reports. I therefore suggest a condition to that effect be imposed to any consent.
85. To summarise, there are some protected species that would be affected by the development and the applicant has already been advised by their ecologist about the legal protection of various habitats and species. A number of surveys have been carried out and adequate methods of mitigation and good practice have been proposed by the applicant. I am satisfied that the development, when carried out in accordance with the ecologist's recommendations and other measures already proposed, would not have a significant impact on any habitat. Therefore, the development would be acceptable in this context.

**Heritage and Archaeology**

86. A desk top study identified that there are some heritage assets within 250m from the site such as Grade II Listed Building, Hubert Fountain in Victoria Park and a conservation area to the north of the railway line. However, only the remains of Ashford Power Station is a heritage (archaeological) asset within the proposed scheme footprint, and it is of low value and sensitivity. The road is proposed on land previously developed as an industrial quarter and therefore I would consider the site of low heritage value.
87. It is recognised that the site is on the first river terrace gravels of the Great Stour River. These are considered to be an important and a potentially rich resource of Palaeolithic and Mesolithic archaeological deposits. The overlying alluvium has similar potential to later archaeological deposits. However, I am advised that since the groundworks

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

would only be at a level above the gravels and there would be no impact on known archaeology. I am satisfied that an archaeological monitoring secured by an appropriately worded condition would secure any potential findings.

**Trees and Landscaping**

88. Issues relating to the effects on the loss of existing vegetation and the effectiveness of the proposals in mitigating potential impacts. These issues are discussed below.
89. The new road would proceed through fields and a disused gas works south of the railway line. A tree survey shows that a number of trees and shrubs would be affected by the development with hawthorn being the most predominant species within the site followed by ash, sycamore poplar and elder. Approximately 315 trees would be lost in order to deliver the proposed development of which 276 are graded of 'low value' (C grade) with a majority growing on the old gas works forming a scrubby layer. No 'high quality' (A grade) tree would be removed in order to implement the scheme. Also, there are three trees that are subject to a Tree Protection Order (TPO), however two of them are classified as poor and dying condition and the remaining tree which is in good condition (B grade) would be retained. Trees that are close to the development site would be protected in accordance with the tree protection measures in accordance with BS5837:2005 *Trees in relation to construction* in order to retain them. A replacement of those trees would be sought through the landscaping scheme. An implementation of an appropriate landscaping scheme of which strategy is given by the applicant already and details could be secured via a planning condition, would mitigate the losses and potentially would improve the quality and amenity value of the tree stock and contribute to the landscape character.
90. Full details of the landscaping scheme could be secured by a planning condition, including the size, design, appearance, location and materials of all boundary treatment, including supporting embankments.

**Sustainability**

91. It is important that the construction of the road achieves strong sustainability targets, despite the general view of the use of roads as being unsustainable. In this context, Ashford Borough Council recommended that all paving materials, floorspace and street furniture should be from sustainable sources and requested that a comparison carbon footprints analysis should be submitted for assessment. The applicant is encouraged to introduce porous paving and sustainable drainage systems. Similarly, the feasibility of harnessing solar energy to power streetlights or traffic lights should be explored. I recommend imposing a planning condition to that effect, should consent be given.

**Local Amenity**

92. Given the proximity of the proposed development to some of the residential properties on Victoria Road, there are concerns about its impact on local residents. Mainly with respect to on-street parking and noise and vibration.

**Parking**

93. In connection with the loss of some on-street parking for local residents along Victoria Road, there is an indication that because of the proximity of the Station and limited parking this problem already exists to some extent. I understand that the Borough Council is currently looking at this issue and considering how it might be addressed with the introduction of a residents' parking scheme.
94. Additionally, although parking at the School is not an issue that has been raised directly through the consultation process on this application, it is clear that parking for

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

parents dropping off/picking up children would be affected. No on-street parking is proposed. Some 30% of trips to the school are currently by car and the applicant confirmed that there is an ongoing discussion with the School and parents on ways to reduce this. For example, a walking bus from Jemmetts Road and the role that Victoria Crescent can play. I consider that the Borough Council's request for the parking enforcement strategy for any proposed signing and lining to be submitted no longer applies, since no on-street car parking is now proposed.

95. The small number of residential properties in Victoria Road would also lose some existing street parking spaces. This is regrettable but unavoidable.
96. There also would be some impact on the school's environment, which in my view would be mitigated by the creation of Victoria Square. However, further consideration should be given to the noise and visual amenity of the School, especially when considering details of the Square design.
97. The significant increase in traffic through the area could raise highway safety concerns for the School, that currently benefits from a cul-de-sac location. However, the design of the road specifically addresses the issue through the provision of a low speed zone, of wide footpaths on both sides of Victoria Way and designated pedestrian crossings.

**Noise**

98. Concerns have been raised that the road would result in a significant increase in noise pollution affecting properties in the locality, particularly for the properties identified as majorly affected (30-40 Victoria Road, Victoria Road School, 28-39 Clockhouse and potentially Riverside School). The noise would be associated with the construction phase (discussed in paragraph 103) and with the operational phase.
99. It is possible to employ measures to minimise the construction phase impacts as far as possible. These methods have been listed by the applicant in their noise survey and can be secured by planning conditions. However, the greater concern is about noise associated with the future use of the road. The primary mitigation measure to reduce noise during operation is through limiting the speed to 20mph. The applicant also advises that a full assessment of properties for noise insulation under the Noise Insulation Regulations 1975 would be undertaken following the opening of the Scheme. Calculations for eligibility for noise insulation from public work take into consideration the change in noise level experienced before the scheme is opened, following its opening and predictions for 15 years after opening. In my view, this is not sufficient considering the likely major impact on the noted properties and PPG24 *Planning and Noise* supports such view. It is accepted that there is insufficient space to erect any physical boundary between the road and the Victoria Road properties to minimise any noise increase in front of these properties. Such a barrier would also be unacceptable in visual amenity terms. Under the circumstances, it is accepted that the proposed development would result in an increased noise impact on the properties, particularly those listed above. I would not consider that the impact would justify the refusal of the scheme on such ground but consider that further mitigation measures should be submitted and approved before the commencement of work, and the measures implemented before opening the new road. I recommend that the applicant explores further means of mitigation, which might reasonably be possible.
100. It is recognised that the Victoria Road School would benefit to some extent from the creation of the Victoria Square as a public realm space separating it from the road. Despite this benefit, further consideration should be given to the effect of noise on the school environment and details of mitigation measures should be secured by a planning condition.
101. Finally, properties to the west of Victoria Way Clockhouse and Riverside School would be significantly affected, although these would be affected as a result of the proposed

**Victoria Way Initial Phase, Ashford – AS/09/460**

---

through access, rather than due to the proximity of the new road that is the subject of this application. Potentially there is a greater opportunity to explore mitigation measures in respect of these properties.

**Construction**

102. Construction noise and vibration impacts on the nearest dwellings are predicted to be elevated and the applicant proposes a number of mitigation measures to ensure that levels are attenuated as far as possible in accordance with the British Standard 5228 *Noise and Vibration control on construction and open sites 2009*. Similarly, there is a likely increase in dust during construction. The applicant has provided details of mitigation measures to be adopted to minimise the effects of airborne dust.
103. Construction of the proposed development, particularly the earthworks phase, is also likely to have an impact on residential amenity, local businesses and highway safety. The applicant has indicated that the project would be delivered by March 2011. In order to minimise the impact of construction activities appropriate conditions should be imposed on any planning permission.
104. Should planning permission be granted for the development, the applicant would need to submit details of a Code of Construction Practice before the construction work starts. These should include those restricting hours of working, requiring measures to be implemented to control dust and to prevent mud and debris being taken onto the public highway and provision being made for the parking of contractor's vehicles, etc.
105. Ashford Borough Council also requested that a site waste management plan as outlined in the application is produced and submitted for approval. In principle, the application documents address the construction impacts, as well as post-construction impacts under the noise and vibration, traffic, transportation and habitat surveys.
106. Therefore, I consider that the construction impacts have been adequately addressed by the applicant, subject to the details of the strategies outlined in the application to be agreed with the Planning Authority before the demolition/construction work starts.

**Conclusion**

107. The principle of building the Victoria Way is established in the adopted LDF Core Strategy as a key infrastructure project for Ashford. The emerging ATCAAP forms part of the LDF and outlines the Borough Council's vision for the Southern Expansion Quarter with Victoria Way being in the heart of that vision. The scheme also accords national and regional planning policies and other more specific design guidance for Victoria Way. The proposed road would also take through traffic away from the town centre, introducing significant local environmental improvements, as well as opening up major brownfield sites for new development to the benefit of the town as a whole.
108. The design and layout of the proposed new street has evolved over recent years and is regarded as being of high quality and would help to realise the form of sustainable mixed-use development on brownfield land advocated by many of the other relevant policies (quoted in the policy section above). I consider that the detailing of the scheme would be critical in a scheme of this nature and would make a substantial difference to the functioning and perception of the public realm of this high profile street. I am also satisfied that best practice would be applied to the mitigation measures to address any environmental or human health and amenity impacts.
109. Consequently, I advise that the proposed development is in accordance with the general principles of the relevant Development Plan Policies and I recommend that the permission be granted subject to appropriate conditions.

**Recommendation**

110. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering the following:

- 5-year time limit to commence the scheme, given the extra time that is typically required to complete all the statutory procedures for major development proposals;
- details of the carriageway design and all finished surfaces, including the kerb lines; dropped kerbs; tactile paving, pedestrian crossings and vehicle crossovers;
- details of all structures, signage and other street furniture; including seating; litter bins; bollards; cycle racks; pedestrian signage and bus shelters;
- details of all lighting and CCTV elements;
- details of further noise mitigation measures;
- details of landscaping (including tree and hedge protection during the installation);
- details of surface drainage; including prevention of discharges to the highway; and details of the underground storage system for discharge to the River (at a rate 4 litres per second per hectare) and of flood pathways under the proposed road;
- details of Victoria Square (including dimensions, materials, street furniture, public art and other materials);
- details of the finished road and site levels;
- details of each of the proposed access points to adjacent development sites prior to the construction of such accesses.
- the provision and maintenance of visibility splays;
- the widths and design details of the Public Rights of Way;
- submission of a Waste Management Plan;
- submission of a Management and Maintenance Strategy;
- submission of a Code of Construction Practice;
- provisions for contractor's parking, deliveries, off-loading and turning;
- submission of a full highway and public realm Safety Audit;
- implementation of a programme of archaeological work;
- recommendations of the habitat survey to be carried forward, and a long term habitat mitigation strategy to be submitted,
- measures to prevent groundwater contamination;
- precautions to prevent the deposit of mud on the public highway;
- a sustainability statement for construction materials;
- the implementation of all details to be submitted.



**Victoria Way Initial Phase, Ashford – AS/09/460**

---

I FURTHER RECOMMEND that the applicants be advised of the need to investigate the following aspects:

- the scope for using renewable energy sources for the proposed lighting, such as solar power;
- the scope for minimising the extent of any street works by the Utility companies and ensuring the quality of any associated restoration work;
- the use of porous paving surfaces and Sustainable Urban Drainage Systems generally on this scheme;
- the habitat survey recommendations to be carried forward, such as the impact of lighting on bats.

Case Officer – Anna Michalska-Dober
-------------------------------------

01622 696979
--------------

Background documents –See Section heading
---

This page is intentionally left blank

**Item D4****Supported Apartments at Ashford Disability Opportunities Service, St Stephen's Walk, Ashford – AS/09/102**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 August 2009.

Application by Kent County Council's Adult Social Services Directorate for 12, 1-bed supported apartments at Ashford Disability Opportunities Service, St Stephen's Walk, Ashford – AS/09/102

Recommendation: Planning permission be granted subject to conditions.

Local Member: Mr J. Wedgbury

Classification: Unrestricted

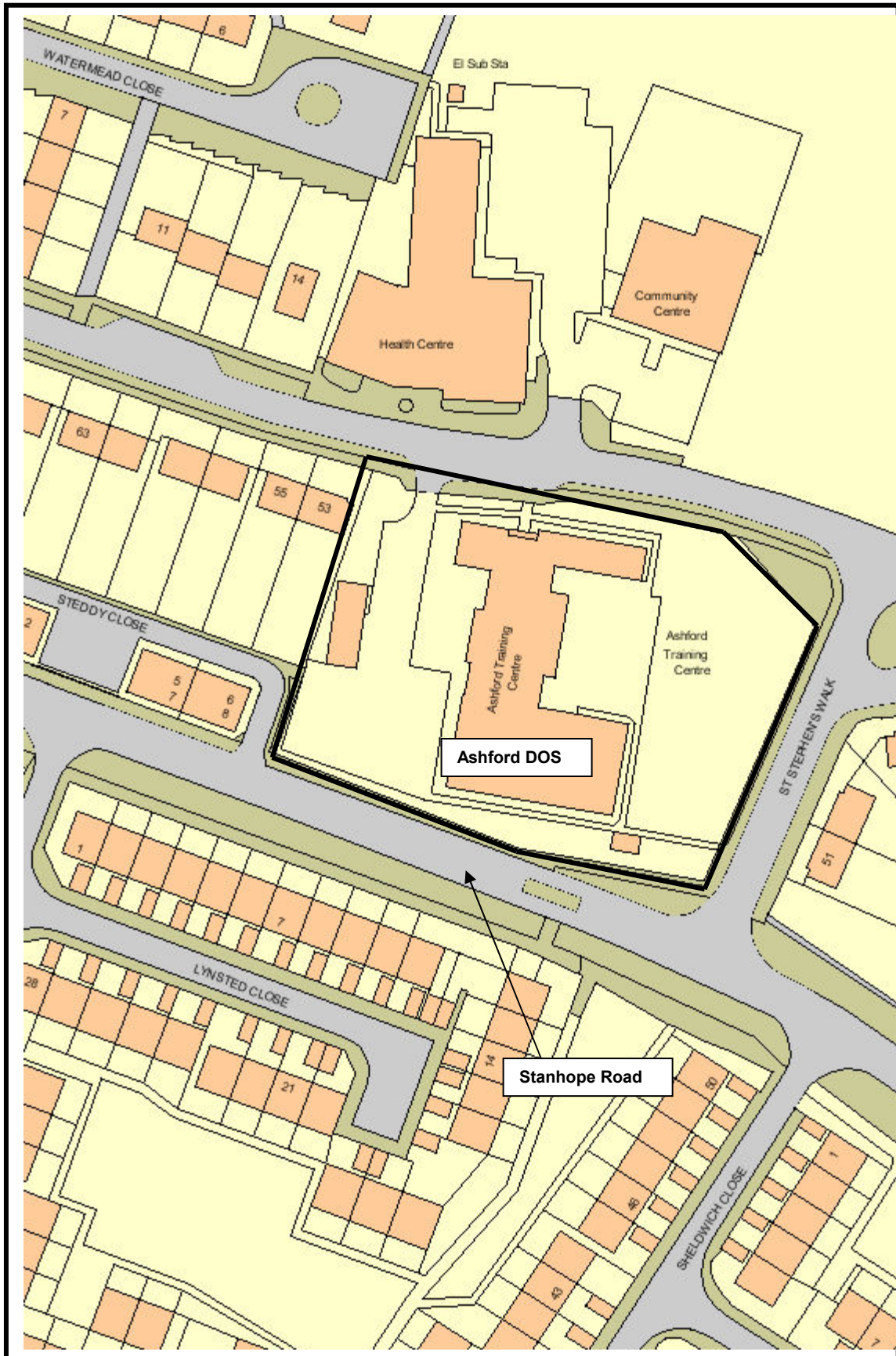
**Site**

1. The Ashford Disability Opportunities Service (DOS) is located off St Stephen's Walk, approximately 1.5 km to the south of Ashford town centre. The facilities provide a training, support and day activities for people with learning disabilities. The Centre was built in 1962, is single storey with a flat roof and has an internal floor space of approximately 1080m<sup>2</sup> within the one extended building. The current facilities provided at the Ashford DOS offer a Service Level Agreement for 50 placements per day, employing 26 staff, and are open Monday to Friday.
2. The remainder of the 0.47ha site includes a car park and a small outbuilding to the west of the centre, and an open landscaped area to the east. Some 27 trees of varying size and species line the boundaries of the site. The land itself is relatively flat with some localised modelling varying the contours across the site.
3. The Ashford DOS is located within a residential area of South Ashford. A recently constructed medical and community centre is to be found to the north, opposite the application site across St Stephen's Walk. Land to the north east beyond the Medical Centre is designated open space. The application site has roads on three sides and residential property to the east, south and west. *A site location plan is attached below.*
4. There are no site-specific Development Plan Policies identified in connection with the application site itself, although general policies are set out in paragraph (11).

**Background**

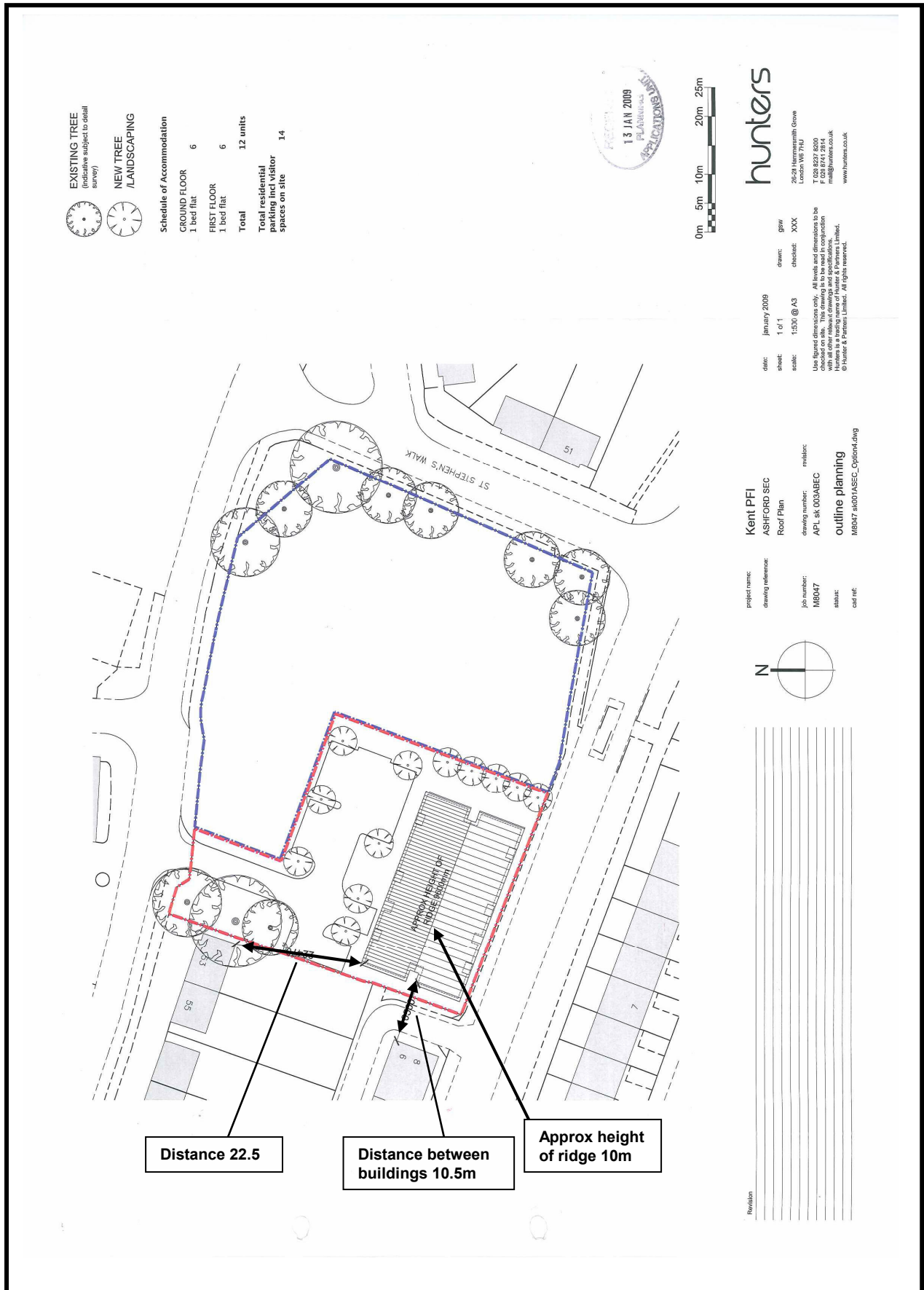
5. This outline planning application is one of a number of proposals being considered by the County Council, submitted on behalf of Kent Adult Social Services (KASS). The application is being made to establish if the site can be considered acceptable in principle for supported housing; if this principle is established, KASS aim to include this proposal within the next wave of the Excellent Homes for All Housing Private Finance Initiative (PFI). This initiative seeks to develop 228 apartments for vulnerable people in Kent including young people and the elderly. Outline planning permission is required on all sites across the County as a precondition to accessing central government consent for the PFI scheme to progress.

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

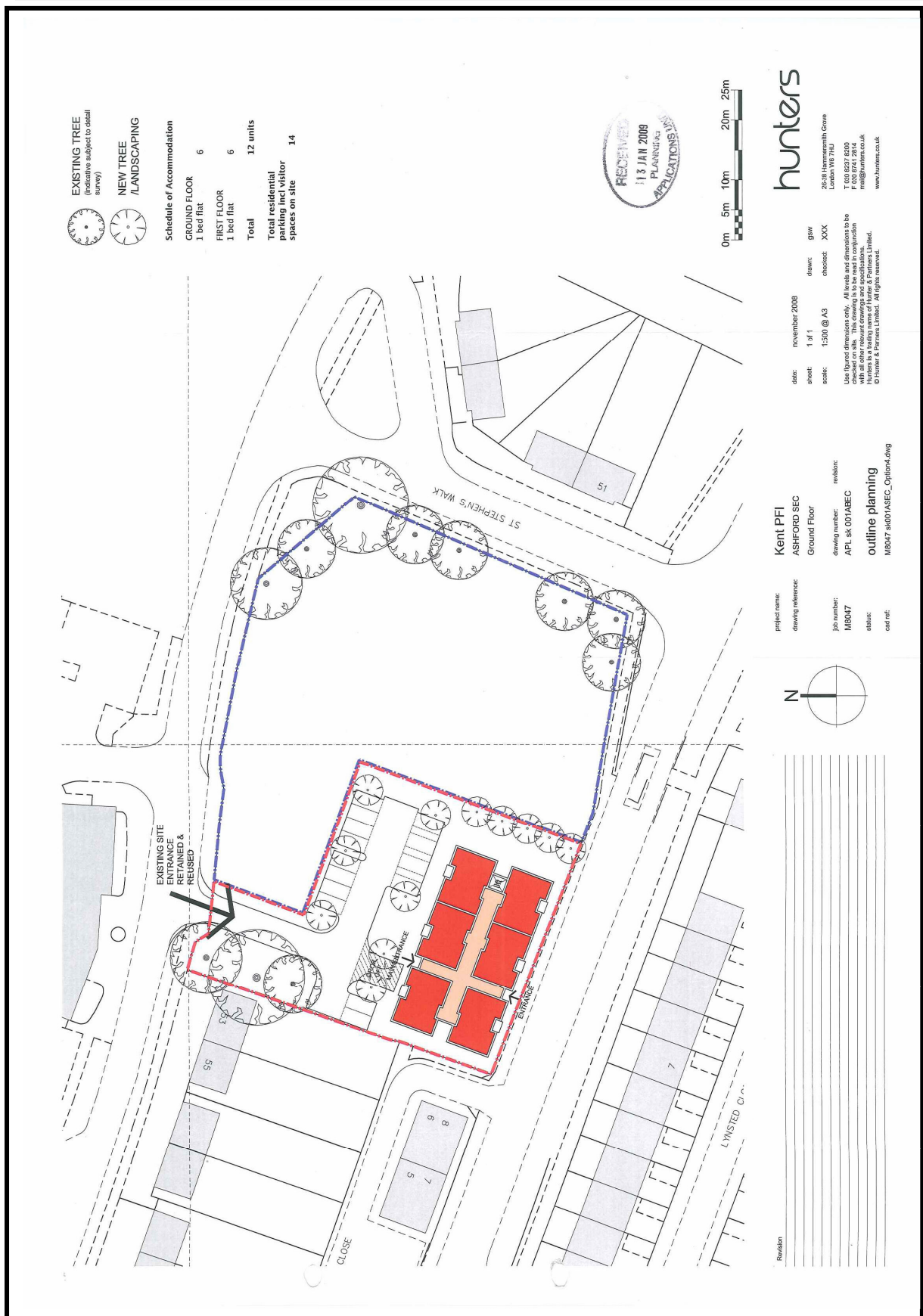


**Site Location Plan – Ashford Disabilities Opportunities Service**  
Scale 1:2500

**Supported Apartments at Ashford Disability Opportunities Service, St Stephen's Walk, Ashford – AS/09/102**



Supported Apartments at Ashford Disability Opportunities Service, St Stephen's Walk, Ashford – AS/09/102



**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**Proposal**

6. This outline planning application has been submitted on behalf of Kent Adult Social Services (KASS) Directorate and falls to be determined by the County Planning Authority due the Social Services aspect of the proposed accommodation. Outline planning permission is being sought for the construction of a new two storey apartment block providing 12 one bed supported apartments for young adults, including people leaving care or with learning difficulties. Due to the outline nature of the application details of the layout of the proposed development (including the number of apartments) and the means of access are included for consideration at this stage; further details relating scale, appearance and landscaping are being reserved for future consideration.
7. The application proposes to use approximately 0.16 ha of the west side of the total 0.47 ha site area available; the remainder of the site would be retained in KCC ownership. The proposed building is shown toward the south-west corner of the plot, adjacent to the Stanhope Road frontage. The application includes details of the maximum height of the building at the ridgeline of the roof (10m) and a general indication of the footprint of the building (measuring approximately 31m by 12.5m). The closest residential property would be approximately 10.5m to the west on Steddy Close, 22m to the south across Stanhope Road and 22m to the north fronting St Stephen's Walk. Vehicle access would remain as existing, with a driveway and new car park (including 14 spaces) off St Stephen's Walk. The application states that none of the trees identified on site would be removed as a result of the proposed development.
8. The application states that Ashford Borough Council has identified a need for supported housing for young people who are settling out on their journey to become as independent as possible and learn how to live in their own home. The supported housing is proposed to add to the community infrastructure to support vulnerable people.
9. The proposed development would require the demolition of the existing training centre on site, the Ashford DOS. Information received in support of the application from KASS indicates that the proposed sheltered apartments would not drive any changes to the services provided at Ashford DOS. KASS confirm that the existing services are envisaged to be modernised and potentially relocated to more suitable facilities which would allow the closure of the current facilities. The process of change to the existing service provision is independent from the planning application and would be subject to a separate consultation with stakeholders. The applicant confirms that, if after consultation, the County Council decides to continue to provide Ashford DOS on site then an alternative location for the supported apartments would need to be found.

**Additional information provided by the applicant**

10. In response to comments raised during the consultation process, including the objections summarised below, the applicant has provided the further information in support of the application, including a Desk Study into ground conditions, a tree survey, and additional statements on behalf of Kent Adult Social Services seeking to clarify the existing use and alternate service provision to be provided if a decision is made to modernise the Ashford Disability Opportunities Service. Copies of the statements received are included in full within appendix 1, including comments from the Director of Kent Adult Social Services. *A brief summary of this supporting information is included below.*

The information received from KASS confirms that no decision to close services currently delivered from Ashford DOS has been made and this would not happen until a

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

through consultation process with stakeholders had taken place. However, in line with the national agenda, KCC has a policy to move towards Self Directed Support, Person Centred Planning and Personal Budgets, enabling people with learning disabilities to have more equal access to a wider range of services in their local community, moving away from institutional barriers.

The County Council's Cabinet approved the document "Better Days for People with Learning Disabilities in Kent" at its meeting of 16 June 2008. The document defines the Council's countywide framework to support local programmes of change and improvement of existing service provision for people with learning disabilities. The policy seeks to ensure access to mainstream services allowing choice on when and where support is needed. This includes community services / improvements proposed at Ashford Gateway Plus, Stour Leisure Centre, Tenterden Leisure Centre and Tenterden Gateway.

**Planning Policy**

11. The Development Plan Policies summarised below are relevant to consideration of the application:

(i) The adopted 2009 **South East Plan**: the most relevant Regional Planning Policies are:

**SP3** (Urban Focus and Urban Renaissance), **CC1** (Sustainable Development), **CC6** (Sustainable Communities and Character of the Environment), **H5** (Housing Design and Density), **T4** (Parking), **BE1** (Management for an Urban Renaissance) and **S6** (Community Infrastructure).

(ii) The adopted 2000 **Ashford Borough Local Plan**: the most relevant saved Local Plan Policies are:

**Policy HG5** Restricts residential development (of five or more dwellings) to sites shown on the proposals maps, except on 'windfall' sites which come forward where: the location allows easy access to sustainable transport, community and leisure facilities; the development does not displace other uses such as employment, leisure or community uses for which there is a need in the area;

(iii) The adopted 2008 **Ashford Borough Council Local Development Framework: Core Strategy**: the most relevant Framework Policies are:

**Policy CS1** Seeks sustainable development and a high quality of design that respects the local character and sense of place.

**Policy CS9** Seeks proposals that are of high quality design and demonstrates a positive response to character, ease of movement, legibility, mixed use, continuity, public space, flexibility, efficient use of natural resources.

**Policy CS15** Seeks new development to be provided with good access to public transport, adequate provision for walking and cycling and maximum parking standards in line with national policy.



**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**Policy CS18** Seeks to prevent the loss of community facilities, unless they are no longer required.

**Consultations**

12. **Ashford Borough Council** – raises objection to the proposal on the following grounds:-

*'The proposal would be contrary to Policy HG5 of the Ashford Borough Local Plan, Policy CS1 of the Local Development Framework Core Strategy and to Government advice in PPS1, and would therefore be harmful to interests of acknowledged planning importance for the following reasons:*

*The proposed development, in the absence of any evidence to demonstrate that there is no longer a need for the community facility in this location, would result in the loss of an important community facility to the detriment of the area, residents that use the facility and the community at large.'*

Following receipt of further information from the applicant in support of the proposals, which outline potential future plans to modernise the existing service provision on site, the Borough Council continues to maintain its objection. The Borough Council's Planning Department considers that, *'the proposal would result in the loss of an important community facility in South Ashford for which a clear need appears to still exist. If the centre is to be closed for its current use then alternative community uses should be considered. Failure to do so results in the loss of a community facility in an existing 'Hub' of such facilities which would be unacceptable'*

The Borough Planning Officer also states that, *'the offer of a condition on the grant of any outline planning permission would not work as it would fail the 6 tests<sup>1</sup>.'* An alternate community facility in South Ashford (of a similar size) would first need to be secured before planning permission for the flats could be granted to ensure no overall loss. The Officer considers that *'the current site is ideal for continued use as a community facility and there appears to be little justification for its relocation.'*

**Divisional Transportation Manager** – no comments received, any views received prior to Committee meeting will be reported verbally.

**Environment Agency** – confirm the application has low environmental risk and due to workload prioritisation are unable to make a full response to the application.

**Local Members**

13. Mr. J. Wedgbury, the local County Member for Ashford South was notified of the application on the 11<sup>th</sup> June 2009.

**Publicity**

14. The application was publicised by the posting of a site notice and the notification of 31 neighbouring properties.

---

<sup>1</sup> Circular 11/95 on The Use of Conditions in Planning Permissions states six tests for a lawful condition – necessary / relevant to planning / relevant to the development to be permitted / enforceable / precise / reasonable in all other respects.

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**Representations**

15. Two letters of representation commenting on the application have been received, one from a local resident and one on behalf Ashford Mencap. The main points raised can be summarised as follows:
- Considers that the consultation period set by Kent Adult Social Services on the future of the existing services is ongoing and planning applications, speculative or otherwise, should not be accepted or advertised until the consultation period has expired;
  - Ashford Mencap raises concern at the way this delicate matter has been handled; they suggest that the County Council is not listening to what people who use the facility want;
  - Raises concern that local people had been told no decision on the closure of the Day Centre would be made until suitable alternatives were in place;
  - Raises concern for the vulnerable people using the facility whose lives revolve around the Day Centre, many of whom have attended the facilities for the past forty years;
  - Raises concern that the proposed facilities are not large enough to accommodate the existing clients of the Centre, and that a permanent base is essential, where they can meet and interact together;
  - Considers the New Gateway Plus Site proposed on the Ashford Library site to be inappropriate, raising concerns about the proposed use of the top floor including fire safety considerations, does not consider this provision to be a decent alternative to the current facilities.

**Discussion**

16. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In considering this proposal, the Development Plan Policies outlined in paragraph (11) above are particularly relevant.
17. In my opinion, the main determining issues relate to the following points:
- Land use and community facilities considerations;
  - Layout;
  - Access and parking;
18. The application seeks outline planning permission for 12 one bed supported apartments for young people. The proposed development would potentially result in the demolition of an existing County Council building that houses the Ashford Disability Opportunities Service. This Social Service is currently under review and is proposed to be modernised and possibly relocated. The application is being reported to the Planning Applications Committee as a result of objections received from Ashford Borough Council, Ashford Mencap and a local resident, as identified in paragraphs (12 & 15) above.
19. As this is an outline application, it is the principle of the proposed development that the applicant is seeking to establish. The application includes details of the layout and

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

access for formal consideration at this stage. Should Members be minded to grant planning permission detailed matters of scale, appearance and landscaping would be reserved for consideration at a later stage.

**Land use and community facilities considerations**

20. One of the key determining factors in the context of this application is the use of the site and the provision of community facilities, including the impact the proposed development could have on existing uses. Planning Policy Statement 1: Delivering Sustainable Development seeks proposals that promote sustainable and inclusive patterns of urban development through making suitable land available for economic, social and environmental objectives to improve quality of life, protecting and enhancing natural and historic environments, ensuring high quality development, and ensuring development supports existing communities with equal opportunities and access for all citizens to jobs, health, housing, education, shops, leisure and community facilities. South East Plan Policies CC1 and S6 seek sustainable and socially inclusive communities, encouraging a mixed use of community facilities, ensuring appropriate provisions are made available to all sections of the community. Ashford Borough Local Plan Policy HG5 seeks to ensure residential development on windfall sites has good access to sustainable transport, community and leisure facilities, does not displace other uses such as community uses, and does not result in town cramming. Local Development Framework: Core Strategy Policies CS1 and CS18 seek sustainable development that prevents the loss of community facilities.
21. Views received from Ashford Borough Council, alongside Ashford Mencap and a local resident raise objection to the application on the grounds of the potential loss of the Ashford Disability Opportunities Service as a community facility. Should the proposed apartment blocks be afforded planning permission and subsequently delivered on site the development would necessitate the demolition of the existing building.
22. The applicant, Kent Adult Social Services, who are also the service provider for the existing facilities provided at the Ashford DOS, has clearly indicated that no decision on the future of the Ashford DOS has been taken at this stage. Under national and local government policy and priorities, the Kent Adult Social Services Directorate is committed to modernising services for people with learning disabilities across the county. The aim of this process is to provide opportunities for people with a learning disability, as full citizens, to have access to mainstream services including leisure, education and work opportunities. The applicant states that should a decision be made to modernise and potentially relocate the Ashford DOS, the existing service users that attend the site would remain supported by trained staff in activities tailored to individual person centred plans. New and improved facilities are proposed at Ashford Gateway Plus, Tenterden Gateway, alongside a commitment to make Ashford Borough's Leisure Centres more accessible and usable for people with a learning disability and other people with physical disabilities.
23. It should be noted that the supported housing proposed in this outline application would provide an improvement to the community infrastructure available to the Ashford area, providing starter homes for vulnerable young adults, including young adults with learning disabilities. Whilst the facilities proposed would not be a like for like replacement for the existing use, the supported housing would benefit the local community. The proposed flats would form part of a countywide PFI proposal to provide an additional 228 apartments for vulnerable people across Kent.

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

24. I note concerns raised by Ashford Borough Council and Ashford Mencap about the potential loss of an existing community facility that there is a demonstrated need for. The Ashford Local Plan and Core Strategy Policies outlined above presume against the loss of existing community facilities. The delivery of social services including the Ashford DOS comes under the responsibility of Kent Adult Social Services and any decision to change / modernise the service provided across the county is beyond the direct control of the planning system and is subject to a separate consultation and decision making process. It is clear from the information provided that KASS are clearly seeking to improve the quality of the services provided to people with learning difficulties through a modernisation process by providing a more individual service, moving away from the more traditional institutional approach. This approach accords with the provisions set out in PPS1 and the South East Plan that seek to create socially inclusive communities, providing equal opportunities for all. I am satisfied that acceptable provisions would be put in place to ensure any decision on the future of the Ashford DOS would safeguard the needs of the people attending the site providing suitable alternate arrangements where appropriate. The application indicates that if after full consultation it is decided that the existing services provided at the Ashford DOS should be retained then, as applicant for the proposed supported apartments (KASS) would seek to find a suitable alternate location for the apartment development. The applicant has also stated that they would be prepared to accept a condition on any decision notice that restricted the redevelopment of the site until such time as appropriate replacement facilities for the existing community use are made available.
25. The Ashford Borough Council Planning Officer's views (included above) are that to place a condition on any planning permission restricting the use of the land until such time as alternate facilities for the provision of the Ashford DOS are made available would be unlawful. This comment is made on the basis that the condition would fail the six tests set out in Circular 11/95 on the Use of Conditions in Planning Permissions. Guidance on the interpretation of this Circular issued by the *then* Office of the Deputy Prime Minister in November 2002, offers advice on conditions worded in a negative (Grampian) form, prohibiting development until a specific action has been taken. The advice in Circular 11/95 on conditions depending on other's actions (Annex paragraphs 38 and 39), says that it is unreasonable to impose a condition worded in a positive form which developers would be unable to comply with themselves, or which they could comply with only with the consent or authorisation of a third party. Although it would be *ultra vires* to require works which the developer has no powers to carry out, or which would need the consent or authorisation of a third party, it may be possible to achieve a similar result by a condition worded in a negative form, prohibiting development until a specified action has been taken. This is appropriate only if there are at least reasonable prospects of the action in question being performed within the time-limit imposed by the permission.
26. Ashford Borough Local Plan Policy HG5, and Local Development Frame Work: Core Strategy Policy CS18 seek to preserve existing community uses where there is a proven need. On this basis, should Members be minded to permit this application, I would suggest that such a condition would be necessary, relevant to the development being permitted, enforceable (in that tangible new facilities would need to be provided before use of the land could taken place), precise and reasonable. Given that the applicant is also the existing service provider and has accepted the possibility of such a condition, in my opinion, the use of a negatively worded condition would be appropriate. In this case, I therefore consider that such a condition would pass the six tests set out in Circular 11/95 and recommend that an appropriately worded condition be placed on any outline planning permission.

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

27. Subject to the inclusion of a condition as advised above, I consider that there would be no detrimental impact on the social service provision to the Ashford area as a result of the proposed development. Arguably the modernisation of the Ashford DOS and the provision of new supported housing would enhance and broaden the community facilities being made available to the community.
28. As well as raising concerns over the loss of an existing service, the Borough Council has indicated that if the Ashford DOS were to be relocated the existing building on site should be retained for an alternate community use, particularly given the proximity of other community services opposite the site. These facilities include a medical and community centre that form a 'hub' of services for the local community. Whilst the supported housing proposed would not provide facilities that are directly accessible by the wider general public on a day to day basis (enhancing the 'hub'), arguably this is also the case with the existing Ashford DOS; both uses provide specific services that benefit vulnerable people within the community. The provision of supported housing would assist in creating a mixed and socially inclusive community that seeks equal opportunities and a better quality of life for all in line with the principles of sustainable development. On this basis, I am not in a position to support the Borough Council's argument that the existing building should be retained for an alternate community use, and conclude that the changes in the use of the site would be acceptable, subject to the agreed condition that the site should not be redeveloped until suitable alternate facilities are made available for the Ashford DOS.

**Layout**

29. No objections have been received concerning the specific layout of the proposed apartment building. In considering this aspect of the application, South East Plan Policy SP3 seeks proposals that are consistent with the principles of sustainable development; Policies H5, BE1 and S6 seek to improve the built environment by ensuring the provision of community infrastructure and housing in accessible locations that build upon local character. Ashford Borough Local Plan Policy HG5 seeks a good standard of design that does not result in 'town cramming'. Local Core Strategy Policies CS1 and CS9 seek sustainable development with a high quality design that respects local character.
30. On this basis, consideration should be given as to whether the proposed layout respects the character of the locality in terms of general size and location of the building, compatibility with neighbouring buildings and open spaces, including whether the proposed apartment building would be likely to impact on residential amenities through loss of light, overlooking, or creating an unacceptable sense of enclosure.
31. Although the building is proposed approximately 10 metres to the east of the nearest flank elevation of residential property, the apartments would be of a similar scale to the existing development, shown over two floors with a pitched roof rising to approximately 10 metres. Whilst the building would have a greater mass than the residential property in the vicinity, the size of the building would not be unacceptable in this location. The layout proposed would respect the character and arrangement of the existing street scene by following an established building line fronting onto Stanhope Road. Provided the final design of any building took account of the surrounding properties, there should, in my view, be no detriment to residential amenities. The façade of the closest residential property to the north-west on St Stephen's Walk would be approximately 22m away at an angle to the proposed building. The combination of the distance, and the

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

retention of a number of trees on the site boundary, would ensure there would be not be an unacceptable impact on privacy through overlooking.

32. I therefore consider that the proposed layout would respect the context of the site, would not be harmful to the street scene, or to the residential amenities of nearby dwellings and that the maximum scale of the development would respect the suburban character. In my opinion the layout of the development is acceptable in the context of the Development Plan Policies in place.

**Access and parking**

33. The South East Plan Policy T4 encourages integration with public transport networks and provision of cycle parking, and seeks residential development to apply guidance set out in Planning Policy Statement 3: Housing with regard to vehicle parking provisions. PPS3 encourages efficient use of land coupled with parking standards that reflect local circumstances. Policy CS15 of the Ashford Borough Local Development Framework: Core Strategy seeks parking standards inline with national guidance.
34. The site is located off St Stephen's Walk an unclassified local distribution road. The proposed apartments would use an established vehicle access point, providing parking spaces for 10 cars with an additional 4 disabled access bays and a drop off point. The site is located in a residential area of South Ashford and has good access to the local footpath network and bus routes.
35. The provision of 12 apartments at this location is likely to generate substantially fewer movements than the existing Ashford DOS that provides for 50 service users per day plus staff. I am satisfied that the off street car parking provision proposed would be acceptable considering the proposed land use. On this basis, I raise no objection to the application on the highways or access grounds, subject to conditions ensuring the provision of the car parking prior to completion of the development and details of appropriate facilities to accommodate cycling.

**Conclusion**

36. In conclusion, I consider that the outline planning application for a proposed apartment building would not have a significant detrimental impact on the character or amenities of the surrounding built environment. I note that the changes proposed to the existing use of the site are subject to an independent review process and that these changes are not driven by this application. The applicant has agreed to accept a condition that restricts any redevelopment of the site until such time as appropriate replacement facilities have been provided to the community. I therefore have no objection to the application on the grounds of loss of existing community facilities. The replacement supported apartments would provide supported housing for vulnerable young people which would offer a benefit to the community in meeting a need established by Ashford Borough Council's Housing Department. I therefore do not consider that the use of the land would change to the detriment of the community or local environment. The proposed apartment building would result in a reduction in people attending the site, which should reduce traffic in the area and I am satisfied that the car parking provision would be acceptable. Taking into account the provisions of the Development Plan and material considerations raised by consultees, I recommend that outline planning permission be granted subject to the conditions set out in the recommendation below.

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**Recommendation**

37. I RECOMEND that PERMISSION BE GRANTED, SUBJECT TO conditions, including the following:

- standard time conditions for an outline permission;
- the submission of reserved matters relating to scale, design and landscaping;
- the development to be carried out in accordance with the permitted layout and access arrangements;
- no development to occur on site unless suitable alternate community services are provided, as set out in the statement received from Kent Adult Social Services;
- the height of the building not to exceed 10 metres;
- measures to be taken if contamination not previously identified on site is found;
- tree protection measures;
- details of all hard landscaping including fencing proposed on site;
- details of foul and surface water drainage;
- hours of operation during construction;
- dust suppression measures;
- measures to ensure no mud is deposited on the public highway;
- no external lighting to be installed without prior approval;
- the provision of vehicle parking spaces prior to first occupation;
- the provision of cycle parking; and
- the use of the building be restricted solely for the use applied for.

Case officer – James Bickle	01622 221068
-----------------------------	--------------

Background documents - See section heading
--

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

Appendix 1

Statement received from Kent Adult Social Services in support of the planning application.



James Bickle  
Planning Officer  
Planning Applications Department  
IH-1 Invicta House  
County Hall  
Maidstone  
Kent  
ME14 1XX

Kent Adult Social Services  
Brenchley House  
123 – 135 Week Street  
Maidstone  
Kent  
ME14 1RF  
Telephone: 01622 694898

Ask for: David Weiss  
Your ref:  
Our ref:  
Date: 3<sup>rd</sup> August 2009

Dear James,

**Planning Application - Ashford SEC - AS/09/102**

I have been asked to provide a clear commitment that the Kent Adult Social Services Directorate will continue to develop services for people in Ashford with a learning disability including those who attend the Ashford Day Opportunities Service (DOS) Centre.

I also endorse the Additional Statement to the application made by David Weiss, Head of Public Private Partnerships & Property Team, which is attached.

Kent Adult Social Services Directorate in line with national and local government policy and priorities is modernising services such as Ashford DOS across Kent.

The strategy set out in the Valuing People Now (Jan. 2009) states:

*"The vision remains as set out in Valuing People in 2001: that all people with a learning disability are people first with the right to lead their lives like any others, with the same opportunities and responsibilities, and to be treated with the same dignity and respect. They and their families and carers are entitled to the same aspirations and life chances as other citizens."*

Therefore, the transformation of services which includes self directed support and personal budgets with the option of direct payments will improve choice and control and increase the opportunities for people with learning disabilities, as full citizens, to access mainstream services with appropriate support.

Oliver Mills  
Managing Director

**KENT ADULT SOCIAL SERVICES**



INVESTOR IN PEOPLE

Please note: Any information provided in this letter about a client may be disclosed to that client unless indicated otherwise

000094



**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**Appendix 1**

Current service users at Ashford DOS will have significantly improved local services, through service design and through adaptations and extra facilities in mainstream locations and these will also be assessable to a much greater number of people than currently attend Ashford DOS. The intention is that services will not be constrained to core weekday hours, as they are now, but will also be available evenings and weekends.

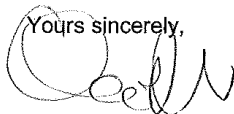
The range, volume and availability of services will therefore increase substantially in the next few years in response to individual person-centred plans, and this will include areas such as health, leisure, sport, social activities, self run services, education and employment within local communities. Examples of these areas will include the planned Ashford Gateway Plus, leisure centres and new or existing community hubs. They will remain supported by trained staff in activities as required.

Details of the service improvements currently planned are set out in the attached Additional Statement and these will be further developed following the ongoing service discussions with partners, relatives and the people who use the service.

Therefore, there will be a clear and demonstrable improvement in the services available for people with learning disabilities and others with disabilities.

My Department is fully committed to drive this improvement forward and with our partners and service users will ensure it is fully delivered in Ashford and across Kent.

Yours sincerely,



Oliver Mills  
Managing Director, Kent Adult Social Services

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**Planning Application - Ashford SEC - AS/09/102****Additional Statement**

I am writing to clarify the alternative services that will be provided if and when a proposal to vary the services currently delivered from Ashford DOS is approved.

No decision to close services currently delivered from Ashford DOS has been made and this would need to go through a consultation process with all Stakeholders.

However, in line with the national agenda, KCC has a policy to move towards Self Directed Support, Person Centred Planning, Personal Budgets with the option of Direct Payments and the Kent Card, enabling people with a learning disability to have more equal access to a wider range of services in their local community and to overcome the institutional barriers that prevent them accessing community services.

Therefore, following further research, planning, consultation and agreement on the formal proposal and subject to the approval by KCC, the services will potentially be relocated from Ashford DOS. In the meantime, services will continue to be expanded in an integrated way with an emphasis on community settings.

**BACKGROUND****Current Use of Ashford DOS**

Ashford DOS Centre was built in 1962. It currently provides day activities for 63 individuals with a learning disability from the Ashford District. The service currently operates core hours Monday to Friday 9am to 4pm

The current Service Level Agreement is for 50 placements per day and the average attendance is approximately 43 per day.

In general terms people arrive at the centre by KCC transport or with family carers. They participate in a number of activities mainly at the Centre and these include media studies, short mat bowls, art and exercise.

Service users usually leave by 4pm and there are rarely any activities after 4pm or at weekends. The pattern of delivery will have been similar for the last 47 years.

There are currently 26 staff employed at the Centre. These include ancillary staff i.e. transport drivers and escorts plus a handyman and kitchen staff. Current contracts are made up of part time and full time hours.

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

The Gross Internal Floor Area of the current building is 1080 m2.

This is a service that is not open to the wider community and service users have to be assessed as being eligible for services.

This approach to day services for people with learning disabilities is considered in national and local policy documents as part of the institutional barriers where it is difficult to encourage participation in integrated community facilities.

As the Valuing People White Paper noted:

*“For decades, services for people with learning disabilities have been heavily reliant on large, often institutional, day centres. These have provided much needed respite for families, but they have made a limited contribution to promoting social inclusion or independence for people with learning disabilities. People with learning disabilities attending them have not had opportunities to develop individual interests or the skills and experience they need in order to move into employment.”*

Therefore, instead it is important to ensure people with learning disability are able, as full citizens, to access mainstream services including leisure, education and work opportunities.

The move away from reliance on services at Ashford DOS through the Good Day Programme:

- will give people more access to mainstream services and improve the range of services and the time people can access them with support as required, so people can choose what they do during the day, evenings and weekends
- will ensure individuals have the support they choose when and where they need it
- will ensure that they are equal citizens in their local community
- will enable them to have opportunities to lead a full and meaningful life.

In practical terms the services will be assessable to a much greater number of people than currently attend Ashford DOS and the services will not be constrained to core weekday hours but also be available evening and weekends.

**Policy Details**

The background to the policies underpinning the Good Day programme and the proposals in Ashford are set out in the following National and Local Documents.

**NATIONAL PRIORITIES**

- Our Health, Our Care, Our Say White Paper
- Valuing People and Valuing People Now

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**Appendix 1**

As noted above the Valuing People White paper required a move away from large, day centres and the White paper goes on to state that:

*The Government wishes to see a greater emphasis on individualised and flexible services which will:*

- *Support people in developing their capacity to do what they want;*
- *Help people develop social skills and the capacity to form friendships and relationships with a wider range of people;*
- *Enable people to develop skills and enhance their employability;*
- *Help communities welcome people with learning disabilities.*

*These problems will be addressed through a five year programme to support local councils in modernising their day services. Our aim will be to ensure that the resources currently committed to day centres are focused on providing people with learning disabilities with new opportunities to lead full and purposeful lives. Securing the active involvement of people with learning disabilities and their families in redesigning services will be essential to the success of the programme. The Government recognises that, for many families, day centres have provided essential respite from the day to day demands of caring. The services that replace them must result in improvements for both users and their families. The needs of people with profound or complex disabilities will be carefully considered as part of the modernisation programme.*

**LOCAL PRIORITIES**

- Active Lives
- Towards 2010
- Supporting Independence Programme
- PSA 2 target 9 (employment)
- Individualised Budgets and Self-Directed Support
- Employment Strategy (LD)
- Modernising Learning Disability Day Services in Kent

The policies and statements, both public and internal, setting out the Good Day Programme of which Ashford DOS is part, are well established.

The Cabinet approved the programme at its Cabinet meeting on 16 June 2008. A copy of the report is attached as Appendix 1 and the Minute of the Decision is attached as Appendix 2.

The Good Day Programme website is accessible on

[www.kent.gov.uk/SocialCare/disability/Ashford+Good+Day+Project.htm](http://www.kent.gov.uk/SocialCare/disability/Ashford+Good+Day+Project.htm)

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**COMMUNITY SERVICES BEING DEVELOPED**

The following community based services are being commissioned as part of the delivery of the Good Day Programme in Ashford.

**Ashford Gateway Plus**

There will be five specific areas for people with Learning Disabilities:

- Two multi purpose rooms with cables for computer and internet use.
- One other area proposed as a Sensory Bath area.
- One other area proposed as a Sensory Room.
- One Kitchen area for training people to cook and prepare food.

Within the Ashford Gateway Plus there will be a Café and it is planned that this will provide work experience and employment for people with a learning disability.

**Stour Leisure Centre**

Plans are being developed with The Ashford Leisure Trust in order to make Ashford Leisure Centres more accessible and usable for people with a learning disability and others with physical disabilities.

This will include Adult Changing Facilities and other adaptations. Funding has been secured by KCC for this work.

**Tenterden Leisure Centre**

Plans are being developed so that it is fully accessible and usable for people with a learning disability and others with physical disabilities.

**Tenterden Gateway**

This is now open and Adult Changing Facilities have been included and are accessible and usable for people with a learning disability and others with physical disabilities.

In addition adaptations may be funded for new or existing Community Hubs or facilities and this will be a programme across Ashford over the next 5 years.

People with a learning disability will remain supported by staff in the community for activities they participate in as set out in their support plan.

For people currently using services at Ashford DOS the range, volume and availability of services will increase substantially in the next few years.

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

**Appendix 1**

The activities that people will access to in the community will depend on individual person centred plans and may include:

- Employment.
- Leisure and sport: gym, swimming, golf etc.
- Full use of the Gateway Plus: Library.
- Education and Training: Adult and Further Education Colleges etc.
- Visits and participation in areas of individual interest: cinema, pubs clubs, arts and crafts theatre etc.
- Social activities to meet friends and maintain relationships.
- Running services with support as required: community hub, advocacy, drop-in etc.
- Community groups.

People can choose the support of trained staff in participating in these activities as and when they require it.

**THE SOCIAL HOUSING PROPOSED IN THE OUTLINE PLANNING APPLICATION**

The application is for Outline Planning Consent for supported housing for vulnerable adults in Ashford.

Ashford Borough Council has identified a need for Supported Housing for young people and this is likely to include young adults with a learning disability who are setting out on their journey to become as independent as possible and learn how to live in their own home.

This Supported Housing development, therefore, will add to the community infrastructure to support vulnerable people including those with a learning disability in Ashford.

The Outline Planning Application is to establish if this site can be considered as appropriate for possible development at a later date.

The Outline Planning Application on all sites is a precondition to accessing central government consent for the whole Excellent Homes for All Housing PFI. There are 228 apartments for vulnerable people in the project, including seven Extra Care schemes for older people in the project.

When Outline Planning Consent is given to the project on all sites across the County the project can progress to advertise for a Registered Social Landlord Housing provider and construction partners. Following this, full Planning Applications would be made in early 2011 and if approved, actual construction need not begin until 2013.

It is important to explain that if Ashford DOS services on site are still being delivered then an alternative site will need to be found or this element of the

**Supported Apartments at Ashford Disability Opportunities Service,  
St Stephen's Walk, Ashford – AS/09/102**

---

scope of the PFI project reconfigured. However, at this point all the other apartments for vulnerable people across Kent would have been able to be delivered.

**CONCLUSION**

The development of Social Housing in the Excellent Homes for All PFI does not cause any change to the services carried out at Ashford DOS. Changes at Ashford DOS should they take place are the result of the national and local Valuing People agenda for services to people with a learning disability.

If, after a formal proposal is made and consultation has been undertaken, Kent County Council decides not to change the services at Ashford DOS it is accepted by the applicant that the development of Social Housing cannot take place as set out in the Outline Planning Application and an alternative will be found or the Excellent Homes for All PFI project reconfigured.

However, it is still important for the future of Housing and Services for vulnerable people that Outline Planning is secured on the site in order that the PFI project as a whole across Kent is progressed and to establish if Social Housing could be developed on the Ashford DOS site when it may be available in the future.

If a condition were placed on the application to state that no development could occur unless access to suitable alternative community services was already in place, this would be acceptable to the applicant. A robust method to measure this can be agreed with Kent Adult Social Services.

**David Weiss**  
**Head of Public Private Partnership & Property Team**  
**Kent Adult Social Services**

This page is intentionally left blank



**Item D5****A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 August 2009.

Application submitted by Kent County Council for the A2 Activity Park Scheme consisting of an outdoor Activity Park including car parking, pavilion and associated buildings, cycle tracks, footpaths, boundary treatments and landscaping on the A2 corridor and adjacent agricultural land at land between the new A2 and the redundant A2 Watling Street from the Pepper Hill Junction to the Marling Cross Junction, Gravesend - GR/09/440.

Recommendation: that subject to the resolution of the Highway Agency's concerns regarding the Holding Direction, PERMISSION BE GRANTED subject to conditions.

**Local Members:** Mr M. Snelling

**Classification:** Unrestricted

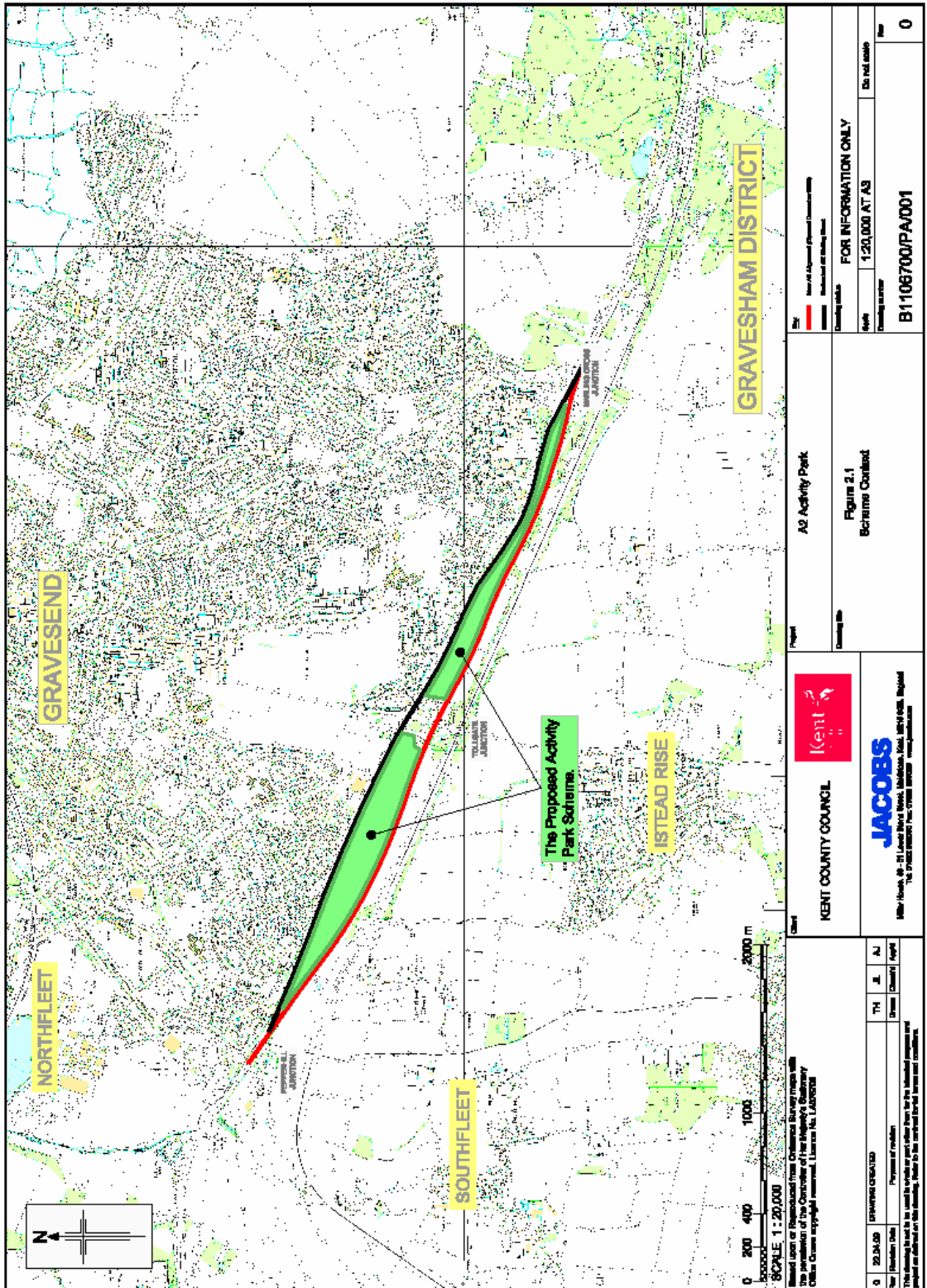
**Site**

1. The recently completed A2 Widening Scheme between the Pepper Hill and Marling Cross junctions has created an open landscaped area of redundant carriageways and adjacent agricultural land which is now sandwiched between the southern edge of the residential areas of Gravesend and the new A2. This application proposes to develop this area of land, creating an Activity Park. The 46 ha linear application site lies between the A2 junctions of Pepperhill and Marling Cross, to the north of the new A2 carriageway and to the south of the urban edge of Gravesend town. The site is 5km long and at its widest, adjacent to Morrisons Supermarket, is 230m wide. The old redundant A2 carriageway runs parallel to the edge of the residential area of Gravesend and is included within the site boundary. The remainder of the site consists of newly landscaped open space and agricultural land, which is crossed with newly created paths and cycleways, and is open at all times to members of the public for recreational use. All of the site to the south of the old A2 carriageway is within the Metropolitan Green Belt. However, due to the nature of the development proposed, and the siting of built development upon the old A2 carriageway, this application has not been advertised as a Departure to Development Plan Policy. A site plan is attached.

**Background**

2. As a result of the Highway Agency's A2 improvement scheme, the former A2 carriageway has been converted into a combined cycle/footpath and a separate equestrian route with mounding and landscaping. The area remains in legal terms a highway, but without access for motor vehicles. Surplus spoil from the construction of the re-aligned A2 was used to create soil mounds and the new landscape has been planted with predominately native trees and shrubs, and is to be maintained to a country park type standard. As part of the Highway Agency proposals for the landscaping of the site, there was no inclusion of parking provision or amenity facilities. The application site comprises the areas that have recently been landscaped by the Highways Agency and two parcels of agricultural land enclosed by the new and old A2 corridors.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**



**Item D5**

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**



**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**



A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440



# Item D5

## A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440



**SHEET 4**

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**



**SHEET 5**

CUTLINE 5

CUTLINE 5

CUTLINE 4

CUTLINE 4

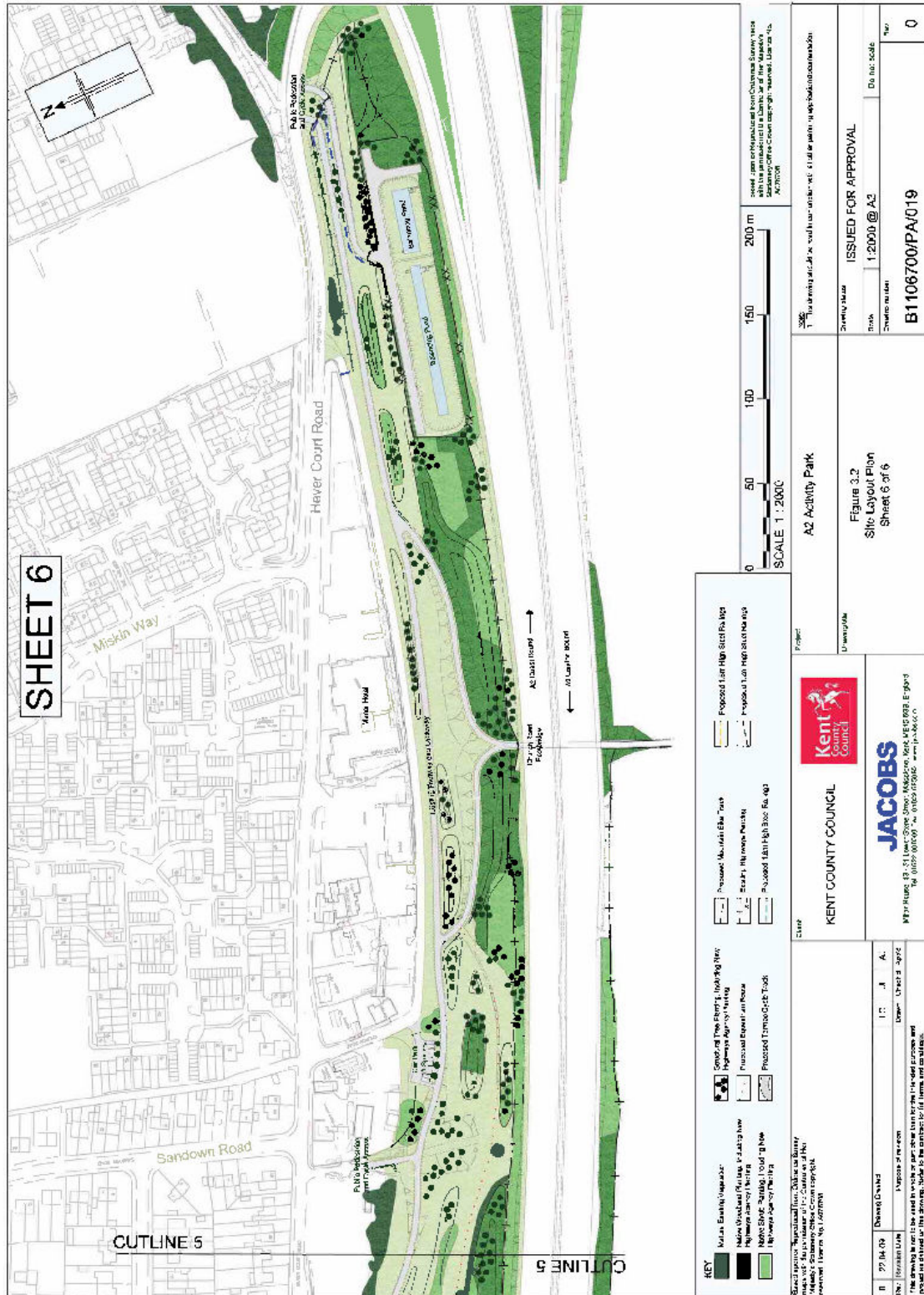
**KEY**

	A2 Activity Park		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop
	Proposed High Speed Rail Stop		Proposed Local Authority/Highway Agency/Highway
	Proposed Local Authority/Highway Agency/Highway		Proposed High Speed Rail Stop

SCALE 1 : 2000  
0 50 100 150 200 m

 KENT COUNTY COUNCIL	Project <b>A2 Activity Park</b>	Drawn by: Issue: Date for scale: Drawn by: Issue: Date for scale:	Issued for approval: Issue: Date for scale:
	Client <b>KENT COUNTY COUNCIL</b>		
	Designer: Date: Title:	Figure 3.2 Site Layout Plan Sheet 5 of 6	B1106700/PAJ018
	Author: Date: Title:	Project Reference: <b>B1106700/PAJ018</b>	Scale: <b>1:2000 @ A3</b>

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**



**SHEET 6**

CUTLINE 5

CUTLINE 5

**KEY**

	Main Existing Vegetation		Proposed New High Speed Rail
	New Woodland (Planting & Sowing)		Proposed New High Speed Rail (Proposed)
	Highways (Asphalt)		Proposed New High Speed Rail (Proposed)
	Highways (Gravel)		Proposed New High Speed Rail (Proposed)
	Highways (Grass)		Proposed New High Speed Rail (Proposed)

**KENT COUNTY COUNCIL**

**JACOBS**

Project: A2 Activity Park

Figure 3.2 Site Layout Plan Sheet 6 of 6

Scale: 1:2000 @ A2

Issue: 0

Project: A2 Activity Park

Figure 3.2 Site Layout Plan Sheet 6 of 6

Scale: 1:2000 @ A2

Issue: 0



**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

Kent County Council



**General Materials Schedule**

**Roof** Flat covering in situ rigid insulation, waterproofing (classified as waterproofing), concrete slab on compacted hardcore with 75mm reinforced concrete screed on top.

**Walls** Four leaf brickwork, finished (external) with 20mm mortar, (internal) with 10mm mortar, 50mm rigid insulation on the outside (in-situ) and 50mm rigid insulation on the inside (in-situ).  
 All concrete walls in-situ.  
 All concrete floors in-situ.  
 All concrete ceilings in-situ.  
 All concrete columns in-situ.  
 All concrete beams in-situ.

**Joinery (Roofing)** Eaves, soffits, gables and dormers to be painted (protective) aluminium to the colour specified. All other joinery to be painted (protective) aluminium to the colour specified. All other joinery to be painted (protective) aluminium to the colour specified. All other joinery to be painted (protective) aluminium to the colour specified.

**Roofing Details** Avoidance of roofline joints, built up fully waterproofed, colour R19 for most sections.

**Notes** All finishes, textures and colours subject to availability of product.



Proposed South Elevation

Proposed East Entrance Elevation

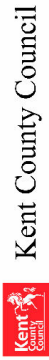


Proposed A2 Pavilion, Gravesend

**CLAGUE**  
 ARCHITECTS

Plot 17, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440



General Materials Schedule

- Roof** - Roofing panels to be specified, covering all roof areas.
- Walls** - External walls to be specified, covering all wall areas.
- Floors** - Internal floors to be specified, covering all floor areas.
- Roofing** - Roofing panels to be specified, covering all roof areas.
- Walls** - External walls to be specified, covering all wall areas.
- Floors** - Internal floors to be specified, covering all floor areas.
- Roofing** - Roofing panels to be specified, covering all roof areas.
- Walls** - External walls to be specified, covering all wall areas.
- Floors** - Internal floors to be specified, covering all floor areas.
- Roofing** - Roofing panels to be specified, covering all roof areas.
- Walls** - External walls to be specified, covering all wall areas.
- Floors** - Internal floors to be specified, covering all floor areas.



Proposed North Elevation

Materials Schedule

- Roofing** - Roofing panels to be specified, covering all roof areas.
- Walls** - External walls to be specified, covering all wall areas.
- Floors** - Internal floors to be specified, covering all floor areas.
- Roofing** - Roofing panels to be specified, covering all roof areas.
- Walls** - External walls to be specified, covering all wall areas.
- Floors** - Internal floors to be specified, covering all floor areas.



Proposed West Entrance Elevation



Proposed A2 Pavilion, Gravesend

<p><b>CLAGUE</b></p> <p>CLAGUE CONSULTANTS LTD</p> <p>100, THE CENTRE, GRAVESSEND, KENT, DA11 7JG</p> <p>TEL: 01474 626666 FAX: 01474 626667</p> <p>WWW.CLAGUECONSULTANTS.CO.UK</p>	
<p>Project Ref: GR/09/440</p> <p>Client: Kent County Council</p> <p>Project Name: A2 Pavilion</p> <p>Project Location: Gravesend, Kent</p> <p>Project Status: Final Design</p>	<p>Drawn: J. Smith</p> <p>Checked: M. Jones</p> <p>Scale: 1:100</p> <p>Date: 15/09/2009</p>

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

**Proposal**

3. This application has been submitted by Kent County Council and proposes to create an Activity Park through the provision of a 46 hectare high quality, traffic free, multi-use facility for cycle circuits, time trials, mountain bikes, BMX and skate boarding. The facility would provide dedicated facilities for local and national running and cycling, alongside informal walking, running and cycling and an equestrian route, all set within a landscaped and managed parkland accessible to the local community. The Activity Park would have two main functions but would be managed as a whole from a pavilion. Both functions would be served by the same access and parking arrangements. The two functions proposed are:
  - The core Activity Park: this would be located on the larger agricultural land parcel between Downs Road and the Tollgate Junction. It would be available to all members of the community and would operate to appeal to all ages and abilities. It would be a clearly defined fenced area with a pavilion building forming a part of the secure boundary line. The secure boundary of the site would enable activities in the core area of the park to be well managed.
  - A park with open access: The remainder of the Activity Park would be open to members of the community at all times and would include the footway/cycleway and associated landscaped area created by the Highways Agency that stretches from the Pepperhill Junction to the Marling Cross Junction. It would also include the areas of land sandwiched between the old and new A2 corridors to the east of the Tollgate Junction, and the parcel of agricultural land to the east of the Tollgate Hotel.
4. The key aspect of the core Activity Park would be the pavilion building with café/restaurant, youth drop in and meeting facility, gym, cycle hire storage, British Cycling training centre, workshops, multi use space for dance, education and music, and a reception area. The building design will be outlined in more detail below. However, it would have an outside terrace which would link with gardens/seating areas and would sit next to the tarmac track with trackside cycle preparation areas and a separate 'start building'. The pavilion area would lead to a series of functional spaces and to a pedestrian bridge which would cross the tarmac racing track enabling access to an 'external activity viewing hub'. The 'viewing hub' would look across the park with close proximity and integration to the BMX and skateboard performance and race areas.
5. The Core Activity Area tarmac track would be a 2.8km track, 6m wide on average, which would be broken down into four smaller tracks, all of which could function at the same time or as varied combinations. Mountain bike trails would run all over the Core Activity Park, segregated from the main track by basic underpasses. The tracks would be set in a landscape of grassland and tree and shrub planting, which would be in discrete large blocks ensuring there would be no conflict with biking activities but also that the planting would have the required wider landscape impact. The Core Activity Park would also provide a BMX track, free ride area, skate park, skills zones for mountain biking, down hill tracks, in line skating facilities, a Multi Use Games Area for informal outdoor sports and a play area designed for younger children.
6. The entire park, including the Core Activity Park, would be landscaped to a high standard, enhancing the extensive mounding and landscaping already undertaken by the Highways Agency. The aim is to create a structured, gently rolling green landscape with wooded areas and wild grasslands where spectators of events and members of the public would be free to roam and enjoy the formal and informal activities.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

7. The pavilion building would be sited to the west of the Tollgate Junction, immediately to the south of Morrisons supermarket. The applicant advises that the location has been selected so that the main built element of the scheme would be adjacent to commercial uses within the urban area, and also to contain the building within the footprint of the old A2 carriageway to avoid intrusion into the open area of Green Belt land to the south. The applicant also advises that the location would have the advantage of a direct relationship to the proposed main cycle track start/finish straight and the ability to link, via a bridge, to the 'central viewing hub'. The building would also be located in close proximity to the proposed car park, and would be linked to the main pedestrian/cycle route through the site by a paved forecourt area.
8. The pavilion building is conceived as a street, along which visitors would pass to gain access to the facilities both within the building and beyond. The building would be single storey but would vary in height from 3.15m to 5.7m depending on the size and use of the internal space. The south facing front of the pavilion would be mostly glass so as to take advantage of the views across the track to the wider expanse of the park beyond. The roof would be cantilevered out from the building above the large areas of glass so as to prevent the building from excessive solar heating. The building would measure 81.2m in length and 32.6m in width, designed as a simple but robust building to cater for heavy footfall and usage. A limited palette of materials is proposed including walls of slate blue brickwork, white/light grey render and natural timber boarding, grey aluminium framed windows and doors and aluminium/zinc and grey membrane roofing.
9. A small maintenance building and yard for grounds maintenance and storage of equipment would also be provided. It would be sited adjacent to existing vegetation and would be fenced. Planting is proposed to integrate it into the park with native species to match the existing. It would also provide a location for bike wash down for mountain bikes. The building would be single storey and 10mx8m in size.
10. It is proposed that a single dedicated point of vehicular access to the proposed facility is created. This access would be joined to the western side of the old A2 coast bound on-slip, which is currently used to access the Tollgate petrol station and residential properties, and forms the eastern arm of the A227 Wrotham Road/Coldharbour Road Roundabout. A priority junction would be constructed to join the access road to the old coast bound on-slip, with appropriate visibility splays. The access road would be 6m wide and would run westwards from the priority junction for approximately 200m, passing over the A227 Wrotham Road on the former A2 bridge, providing access to the main car park and pavilion.
11. The main car park would be sited to the east of the pavilion and would be approximately 200m in length and 40m wide. The entrance to the main car park would be gated, with opening hours restricted to the operating hours of the Core Activity Park and pavilion (see paragraph 12). The parking provision for the scheme also includes the construction of a small satellite car park at the eastern end of the scheme, accessed via Church Road. In total the main car park would provide 170 tarmac car parking spaces, of which 17 would be allocated as disabled spaces, 18 motorcycle parking spaces, 5 coach spaces and 80 cycle spaces. An overspill car park of 167 spaces would also be provided and a further 20 spaces would be provided in the satellite car park. The overspill car park would be located to the south of the tarmac car park, although only limited details are provided at this stage. Various existing access points for pedestrians and cyclists are located along the park's northern boundary, including controlled vehicular access points for service vehicles. Access points are located at the Pepper Hill Junction, Downs Road (accessed via Landseer Avenue), adjacent to the Tollgate Filling

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

Station, Watling Street, and on Hever Court Road, including an access adjacent to the Marling Cross Junction.

12. The main Activity Park would be open 24 hours a day all year round for general recreational and leisure uses. However, the Core Activity Park would only be open for use between the hours of 7.00am and 10.00pm. The pavilion building and associated car parking would be open from 7.00am until 11.00pm. The additional hour in the evening would allow club meetings or classes for various activities to take place, and would enable users of the outdoor areas to shower and clear the site safely.
13. The applicant confirms that entrance fees for the Activity Park would only be charged to those visitors using the facilities within the Core Activity Park, and that the café and social facilities of the wider park would be freely open to all. Car parking would also be subject to a charge, the details of which are yet to be finalised. However, at this time it is expected that there would be a short term 'free' period to accommodate local users/dog walkers. There would also be a high long term charge to deter long term parking by non park users, and admission charges to the Core Activity Park would include parking costs to avoid users parking on local road. The park would, however, be non profit making but ideally needs to be self maintaining.
14. The use of the site would be for predominately everyday recreational access and what the applicant terms a 'typical weekend event'. The applicant considers that a typical weekend event would occur approximately 40 times each year and would involve a 'non major event' being held on the cycle track or mountain bike track within the enclosed Core Activity Park, with average use of the other park facilities. It is anticipated that a 'typical weekend event' would attract approximately 424 visitors per day to the site, generating approximately 165 motor vehicle trips per day. In contrast, the applicant is also proposing to hold a limited number of 'major weekend events' at the site, which would involve mainly local, but sometimes regional, competitions. It is anticipated that a 'major weekend event' would attract approximately 1106 visitors per day to the site, generating approximately 455 motor vehicle trips per day.
15. It is not proposed to light the wider park outside of the Core Activity Area, however, the pavilion, car parks and access would be lit. Amenity lighting would be provided around the pavilion and along the link to the activity area and the car park to provide safe passage for users of the facilities. The BMX area and Skate Park, as well as other facilities within the Core Activity Park would require lighting, details of which have not yet been provided. However, the applicant advises that lighting would be designed to be appropriate for the facility/activity and would be in accordance with industry standards. All lighting would be of the flat glass variety to minimise light above the horizontal, thus avoiding light spillage and reducing the visual impact. This principle would also apply to the tarmac track, which as a training facility, would be treated as a standard road.

*This application was accompanied by a Planning and Environmental Assessment Report, a Design and Access Statement, Transport Assessment, Flood Risk Assessment, Cultural Heritage Desk Based Assessment, Public Exhibition Report, Market Analysis & Initial Business Case Report and Ecological Scoping Survey Report.*

*Copies of the submitted drawings showing the site layout, elevations of the pavilion, and access will be able to view on the day of the Planning Applications Committee Meeting in the Council Chamber.*

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

**Planning Policy**

16. The Development Plan Policies summarised below are relevant to the consideration of the application:

(i) The adopted **South East Plan**:

**Policy SP5** - The existing broad extent of Green Belts in the region is appropriate and will be retained and supported and the opportunity should be taken to improve their land-use management and access as part of initiatives to improve the rural urban fringe.

**Policy CC1** - The principle objective of the Plan is to achieve and maintain sustainable development in the region.

**Policy CC4** - The design and construction of all new development, and the redevelopment and refurbishment of existing building stock, will be expected to adopt and incorporate sustainable construction standards and techniques.

**Policy CC6** - Actions and decisions associated with the development and use of land will actively promote the creation of sustainable and distinctive communities.

**Policy CC8** – Local Authorities and partners will work together to plan, provide and manage connected and substantial networks of accessible multi-functional green space.

**Policy S1** - Local development documents should embrace preventative measures to address the causes of ill health by reflecting the role the planning system can play in developing and shaping healthy sustainable communities, including community access to amenities such as parks, open spaces, physical recreation activity and cultural facilities.

**Policy S5** - Increased and sustainable participation in sport and recreation should be encouraged.

**Policy NRM5** – Local Planning Authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain in the region.

**Policy NRM9** – Strategies, plans, programmes and planning proposals should contribute to sustaining the current downward trend in air pollution in the region.

**Policy NRM10** – Measures to address and reduce noise will be developed at regional and local levels.

**Policy C4** - Outside nationally designated landscapes, positive and high quality management of the regions open countryside will be

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

encouraged and supported by Local Authorities and other organisations, agencies, land managers, the private sector and local communities, through a combination of planning policies, grant aid and other measures.

**Policy TSR2** - Opportunities to promote tourism and recreation-based rural diversification should be encouraged where they provide jobs for local residents and are of a scale and type appropriate to their location.

**Policy TSR3** – Opportunities will be sought to protect, upgrade and develop new regionally significant sports facilities.

**Policy W2** - Sustainable design, construction and demolition should be encouraged to minimise waste production.

**Policy KTG7** – In order to take forward the Thames Gateway Parklands aim of transforming the environment and image of the Gateway, provision should be made for green grid networks, recreation and public access, and enhancement of landscapes, habitat, heritage and the environment. Developments should be of the highest standards of design, and adopt best practice in the use of sustainable techniques.

**Policy LF9** – Local Development Documents will promote improved management to increase opportunities for access to the open countryside, the retention of attractive landscapes and enhancement of damaged ones, and conservation in areas of the rural-urban fringe easily accessible to people within the sub-region and beyond.

(ii) **Gravesham Local Plan First Review (adopted 1994):**

**Policy TC1** - The Borough Council will not normally permit proposals for new development which cause harm to interests of acknowledged importance. Applications will be considered in accordance with a number of design principles including the appropriateness of scale and massing, use of good quality materials, the design respecting the character and appearance of existing buildings, and safeguarding the amenity of neighbouring properties.

**Policy TC7** – On archaeological sites where permanent preservation is not warranted, applications will normally be refused unless arrangements have been made by the developer to ensure that time and resources are available to allow satisfactory archaeological investigation and recording to take place in advance of or during development.

**Policy TC10** - The Borough Council will normally require the submission of details of the landscaping proposed and will use its powers to ensure such landscaping is implemented.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

**Policy GB2** - There will be a strong presumption against permitting new development in areas subject to Green Belt policies.

**Policy C1** - Areas defined as 'Areas of Special Significance for Agriculture' will be subject to long term protection and Borough Councils will give priority to the needs of agriculture over other planning considerations.

**Policy LT1** – Suitable facilities for formal and informal recreation will be permitted at appropriate locations in the urban area and in the villages, having regard to an identified need for such facilities and subject to compliance with other policies of the Local Plan. Suitable facilities for informal recreation and formal outdoor recreation will be permitted in the Countryside where it can be demonstrated that this would be compatible with Green Belt and Countryside Conservation Policies.

**Policy LT8** - The Borough Council will aim to maintain and improve the existing public rights of way network and as opportunities arise, it will seek to provide new recreational footpaths, cycleways and bridleways in the Borough.

**Policy T1** - The Local Planning Authority will consider the impact on the transport system and on the environment of traffic generated by new development and would wish to ensure that all proposed developments are adequately served by the highway network.

**Policy P3** - The Borough Council will expect development to make provision for vehicle parking, in accordance with Kent County Council Vehicle Parking Standards.

(iii) **Gravesham Local Plan Second Review (deposit version 2000):**

**Policy T1** - In considering development proposals, the Local Planning Authority will consider the impact of the generated travel demand on the transport system as a whole, and on the environment.

**Policy T7** - The Borough Council will encourage the use of cycles as a means of travel for short and medium distance trips and for recreation.

**Policy T8-** The Borough Council will encourage the maintenance and enhancement of the network of footways, footpaths, bridleways and other public access routes throughout the urban and rural areas.

**Policy T16** - Provision will be made for vehicle parking in accordance with the Kent County Council Vehicle Parking Standards.



**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

- Policy NE6** - Development on sites containing or directly adjacent to trees or hedgerows of amenity, wildlife or landscape value will only be allowed if these landscape features are protected and retained in the long term. All new proposals for new development must incorporate new landscaping as an integral part of the scheme.
- Policy NE7** - The Borough Council will encourage the implementation of wildlife enhancement initiatives and the planting of new landscaping in suitable locations to improve the ecological resource and the appearance of the environment.
- Policy NE14** – Development will only be allowed if it does not involve the loss of the best and most versatile agricultural land.
- Policy NE16** - Development likely to result in emissions to the air, by reasons of operational characteristics or the traffic generated by it, will require submission of details to enable a full assessment of the impacts on air quality to be carried out.
- Policy NE19** -Proposals for noise generating development will require a full assessment of the impact.
- Policy NE20** -Development involving the provision of external lighting will require the submission of details to demonstrate that the proposed lighting scheme is the minimum necessary for security, safety and working purposes, taking into account the design of the scheme.
- Policy BE1** - The Borough Council will give priority to conserving and enhancing the built environment in both the urban and rural areas.
- Policy BE10** - On archaeological sites where permanent preservation is not warranted, applications will normally be refused unless arrangements have been made by the developer to ensure that time and resources are available to allow satisfactory archaeological investigation and recording to take place in advance of or during development.
- Policy BE12** -A high standard of layout, design and materials will be expected for all new development. The Borough Council will not normally permit proposals for new developments which cause harm to the interests of acknowledged importance. Applications will be considered against a number of criteria.
- Policy RA2** - Within the Green Belt, inappropriate development will not be permitted.
- Policy LT9** - Land is safeguarded for new recreational or public open space use at – land between the A2 and CTRL south of Singlewell.
- Policy LT12**- Proposals to improve and extend the existing public rights of way network will be positively encouraged where they either

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

provide a shorter or more convenient route, or improve access to the countryside.

**Consultations**

17. **Gravesham Borough Council:** raises NO OBJECTION to the principle of extending the existing linear park but raises the following concerns:-

- (1) the impact of the development as a whole on the openness of the Green Belt;
- (2) the lack of a clear justification for the location and scale of the development at this site and given the regional level of demand the absence of any analysis or assessment of other alternative locations for the development such as to give legitimacy to the proposals in a land use and planning policy context and in context and in particular why special circumstances exist for setting aside Green Belt policy;
- (3) that having regard to the scale of development within and adjoining the Green Belt that the development ought to be treated as a departure from Green Belt policy;
- (4) the proposals should not result in any detriment to the existing linear park cycle/footpath and bridleway and the benefits that have been gained as a result of the relocation of the A2, and that cycle routes leading to the linear park from surrounding areas be enhanced ;
- (5) that any more intensive use of the park beyond the current level of proposals would not be supported in either a land use or planning policy context;
- (6) the proposals will result in the loss of significant areas of best and most versatile land but there are a number of factors that weigh against their retention for continued agricultural use and as such would not justify an objection to the proposals solely for this reason;
- (7) there are concerns at the impact of the development in terms of noise, disturbance and lighting pollution. Whilst some of these matters can be addressed through planning conditions there are legitimate concerns at the extent of night time use and the proposed hours of use;
- (8) there are concerns at the impact from traffic both in terms of congestion and noise at major events that may be held and how this can be properly managed such as not to cause disturbance to local residents in the area;
- (9) there is a need for a full and robust security and maintenance strategy;
- (10) the richness of the archaeological resource in this locality will need to be fully investigated and recorded;
- (11) there is a need to reconsider the design and extent of the built form on the site both visually and in order not to impact on the existing linear park;
- (12) the materials for the car parking and access need to be reconsidered;
- (13) there is a need to consider how the impact of the security fencing can be reduced and softened.

Gravesham Borough Council also requests that in the event of Kent County Council resolving to grant planning permission that certain conditions are imposed to control/regulate the following broad issues:-

- (1) restriction on significant intensification of use of the park, controls on opening hours, and a limitation on night time activity;
- (2) restriction on the use of the building to prevent its use for functions/activities not related to the use of the activity park;
- (3) details of boundary treatment to be submitted for approval;
- (4) full lighting impact assessment to be submitted for approval;

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

- (5) no lighting of the existing linear park cycle/footpath or bridle path and no additional lighting to be added thereafter without approval;
- (6) contamination assessment in accordance with the Council's standard condition to be submitted for approval;
- (7) comprehensive construction code of practice covering all relevant environmental issues to be submitted for approval;
- (8) report to be submitted on noise levels for approval;
- (9) written assessment to be submitted if the proposals incorporate a wind turbine;
- (10) details of sustainability measures to be employed in the construction of the development to be submitted for approval;
- (11) agricultural soils to be protected during construction works;
- (12) park access maintenance and security strategy to be submitted for approval and to be implemented before the park is first operational and thereafter fully adhered to;
- (13) the detailed design and layout shall include measures for habitat creation and encouraging biodiversity and the construction activities shall provide full protection to existing habitats and flora;
- (14) archaeological mitigation strategy to be approved and watching brief to be undertaken during construction works;
- (15) full details of the design, materials and finishes of the pavilion building and maintenance building to be submitted for approval.
- (16) an enhancement strategy for cycle routes leading to the linear park from surrounding areas.

**Cobham Parish Council:** initially raised concerns regarding possible congestion on local rural roads, the design of the pavilion and light pollution. Following the submission of additional information from the applicant the Parish Council have no further comments to make.

**Southfleet Parish Council:** initially requested clarification over certain issues associated with the development including noise, waste & recycling, high attendance events, lighting and landscaping. Following the submission of additional information from the applicant no further comments have been received.

**The Divisional Transport Manager:** has no concerns regarding the everyday use of the facility and/or typical weekend event usage of the site. However, in order to assess the potential impacts of 'major' events further information such as a Major Event Travel Management and Parking Management Strategy', regional and national level survey information taken at a comparable site, an assessment of key junctions, survey work with regards to the cycle and highway network, and details of any works required as a result of these surveys, are required. This information cannot be provided at this time and, therefore, the Divisional Transport Manager is unable to assess the implications of 'major' events.

**The Highways Agency:** do not object to the Activity Park in principle, but have concerns over the high level of car parking proposed. In addition, the Highways Agency wish to discuss with Kent Highway Services what numbers of participants and visitors are envisaged to visit the site during typical and major events, and whether or how any restrictions on the holding of major events could and should be linked to restrictions on the numbers of participants. In light of these concerns the Highways Agency have issued a 'Holding Direction', which directs that planning permission not be granted for a specific period. The direction shall remain in place until the 23 September 2009.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

*The applicant has submitted additional information to address the concerns of the Highways Agency, which was forwarded to the Agency for their information and comment. The County Planning Authority has yet to receive any feedback on this additional information and await further comments from the Highways Agency.*

**The County Council’s Landscape Advisor:** concludes as follows:

“In landscape and visual terms the scheme is based on sound principles and these are clearly demonstrated in the text, however to fully appreciate and assess the proposals further information is required.

A review of the detailed design as the scheme progresses should be carried out, prior to construction, for the following aspects:

- Surfaces and Materials
- Lighting
- Earthworks and Contours
- Fencing and Gates
- Detailed layout, content and specification of track, play, games and recreation areas
- Bridge Construction
- Car Park layout and construction
- Planting design, species, densities and specification including establishment maintenance for all areas
- Management Plan for existing and proposed soft landscape areas
- Construction and arrangement of paths for pedestrians, bikes and horses
- Signage and furniture”

**The County Council’s Noise Advisor:** comments as follows:

“With regard to the typical weekend traffic I would not consider the addition of 165 vehicles per day to result in adverse impacts for residents fronting Wrotham Road.

In relation to traffic flows anticipated on “Worse Case Weekend Events” the Applicant considers a potential for 455 vehicles to enter the site in any one hour. The Applicant considers that this additional traffic on Wrotham Road would result in a no significant noise impact for nearby residential premises. I note that the noise predictions used to arrive at this conclusion compares the worse case traffic flow, anticipated to occur at the weekend, against a weekday peak hour flows on the local road network.

To truly consider the potential noise impact the worse traffic flow should be compared against a typical morning or evening weekend traffic flow, which is likely to be considerably lower than that during a peak hour weekday period. I would anticipate that such a comparison would conclude that a significant noise impact would occur for those nearby residents during that hourly weekend period, in excess of + 3dB  $L_{A10,1hr}$ . However, it is noted that this would occur a maximum of only three occasions per year. On this basis I would consider that these very occasional periods of elevated noise levels are not an overriding concern in terms of noise impact.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

**The BMX and Skate Park**

The further information provided by the Applicant states that the detail of use for the BMX and Skate Park are still unknown. Although, given the number of anticipated visitors contained in the traffic flow numbers, I would consider it unlikely that crowd noise would result in adverse impacts.

The applicant cannot confirm what if any public address or tannoy system may be used on site. Therefore, as recommended in my response of 24<sup>th</sup> June 2009 the Applicant has undertaken noise monitoring at a nearby sensitive premises, 30 Kemsley Close.

The measured noise data at 30 Kemsley Close shows that during day-time hours (07:00 to 23:00) at the weekend the average noise level was measured at 59.8  $L_{Aeq,T}$  with a minimum measured noise level of 55.0 dB  $L_{Aeq,T}$ . Therefore the measured noise levels show that the noise environment in this area is consistent throughout the day during weekend period. In light of the Applicant not being in a position to provide an assessment of any potential public address or tannoy system, I would recommend that the following condition be stipulated in order to control noise emanating from such activities:

*The noise level emanating from any public address system, tannoy system or speaker system shall not exceed 55 dB  $L_{Aeq,1hour}$  at the nearest residential premises. The measured noise level shall be undertaken under free-field conditions at 1.5m in height and the sound level meter shall be set to record in 'fast' mode."*

**The County Council's Dust/Odour Advisor:** concludes that users of the park are unlikely to experience a detriment in air quality as a result of the position of the scheme next to the A2. In addition, in terms of existing receptors, the scheme is unlikely to result in a detriment to the nearest residential receptors due to the relatively low numbers of vehicles expected to visit the park for the most part. Lastly, any potential dust generated during the construction phase could be controlled through appropriate conditions.

**The County Council's Lighting Advisor:** comments as follows:

"Lighting the existing combined footpath and cycleway on the north side of the development may lead to light spill affecting houses close to the boundary in Foxberry Walk, Rowmarsh Close, Templar Drive and Old Watling Street/Golf Links Avenue. In all cases the spill is likely to only affect the garden areas of the properties, not the houses or windows and is likely to have a minimal impact on the individuals involved.

The proposed lighting fittings would be located on the northern side of the footpath and either have the lamps recessed within the lanterns or be of a flat glass type such that the visual impact of the fittings would be minimal with virtually no sky glow or light spill. An optional 5 degree tilt upwards may also offer some help as the light spill would then be directed from the rear of the lantern at the lower angle, thus ensuring that there is little or no obtrusive light on the properties.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

The design shows that the boundary foliage is sparse in the above areas, and consideration should be given to planting appropriate trees and shrubs to provide extra cover for the lighting.

With regard to lighting of the activities areas, the BMX and skateboarding areas would need to have good lighting in the vertical plane to avoid shadows and misrepresentation of the height and angle of objects. The light should be white or daylight coloured for optimum recognition of shapes, colours and surfaces, and have outer shields to cut out spill light and help in angling the beams. Care must be taken with this style of lighting so as not to cause discomfort or disability glare in what can be dangerous sports. In addition, localised lighting may also be required in spectator areas for safe movement in hours of darkness, possibly in the form of low level lighting that would allow the illumination of the pathways without causing distraction to the riders.”

**The County Archaeologist:** has no concerns over the proposed development subject to conditions requiring the securing of the implementation of a programme of Archaeological work and the submission of foundation designs and any other proposals involving below ground excavation.

**The County Council’s Public Rights of Way Officer:** no comments received to date.

**The Environment Agency:** has no objection to the proposed development subject to the imposition of conditions regarding surface water drainage, foul drainage and land contamination.

**Natural England:** comment as follows:

“Natural England welcomes the proposal and is supportive of a scheme that provides open space and a valuable green buffer between the new A2 and the southern residential areas of Gravesend. The provision of a natural park area in conjunction with a planned Activity Park meets with our desire for the provision of multi-use green space as part of a green infrastructure policy. We are also encouraged by the improved cycle and equestrian links that will give better access to the wider countryside to the south across the A2.

Additionally, the scheme is in line with the aspirations of Ebbsfleet Valley and the A2 corridor Green Cluster Study and the Parklands Vision for the Thames Gateway, both of which are supported by Natural England.

The only area of concern we have is the proximity of the busy A2 to the proposed Activity Area. The purpose of the Activity Area is to promote aerobic exercise. It will be important, therefore, to ensure that air quality issues are carefully considered in the topography and design of the Activity Park so that there are no health issues to people who may regularly use the area.

The application also includes details of an ecological assessment and the likely impacts on protected species. In view of the current limited biodiversity interest on the site we have no major concerns.

The proposal should bring positive benefits to biodiversity with the planned woodland and grassland creation. “

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

**SEEDA:** considers that the project complements the objectives of the Kent and Medway 'Greening the Gateway' Partnership. SEEDA also considers that this proposal for a purpose built outdoor Activity Park would assist in building healthy and cohesive communities, an aim of the Parklands Programme included as part of the Thames Gateway Eco-Region prospectus.

**South East England Partnership Board:** no comments received too date.

**Sport England:** gives its support in principle to this planning application, and provides advice and guidance on the detailed/technical design of the sporting facilities proposed.

**Police Architectural Liaison Officer:** no comments received to date.

**EDF Energy:** has no objection to the proposed works as long as their access rights to cables and equipment are maintained.

**National Grid:** provides advice and guidance on working in proximity to high pressure gas pipelines, underground electricity cables and overhead electricity lines.

**Union Railways:** has no objection to the proposal, but seeks to review construction methodology for activity at the west end of the proposed park.

**Local Member**

18. The local County Member, Mr M. Snelling, was notified of the application on the 22 May 2009. In addition the following former County Members of adjacent wards were notified of the application: Mr R. Parker, Mrs M. Newell, Mrs J. Cribbon, Mr L. Christie & Mr B. Bassam.

**Publicity**

19. The application was publicised by advertisement in a local newspaper, the posting of nine site notices and the individual notification of 289 nearby properties.

**Representations**

20. To date I have received 50 letters in support of the scheme and the provision of such cycling/sporting facilities from members of the public and cycling clubs/organisations. It should be noted, however, that many of these letters also expressed concern over an alternative use of the site, namely the provision of a football ground.

I have also received 12 letters of objection/concern and a petition signed by 19 residents of Kemsley Close, and a second petition signed by 76 local residents. The main comments/points of concern and objection can be summarised as follows:

**Impact upon residential amenity:**

- Residents have recently had the opportunity to enjoy a peaceful noise and pollution free environment, increasing the value of homes and the neighbourhood;
- An alternative site for such a facility, away from residential properties, should be found;

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

- The Activity Park would expose local properties to a substantial risk from a security perspective;
- The proposed development would have a negative impact on the amenity of local residents in terms of noise, light and 'visual' pollution;
- Car parks and increased vehicular use of the site would generate air pollution;
- Residents are concerned about noise pollution from the Core Activity Park;
- The park should be closed at dusk, removing the need to light the facility;

Design of the pavilion:

- The pavilion building is too close to residential properties;
- The building should be moved eastwards;
- The pavilion building is strongly opposed;
- The land should be left as open green recreational space;
- The pavilion is a huge building, which would be used for many events. It is too large for the rural Green Belt location;

Access and parking:

- The provision of an entrance to the Activity Park in Watling Street is already leading to additional car parking in the narrow road. The entrance is also in close proximity to a blind bend, a hot spot for accidents. This entrance should be removed;
- The application would attract tourists and visitors from far afield, increasing traffic, congestion and pollution;
- Local roads cannot accommodate an increase in traffic, and congestion could impede the passage of emergency services;
- Local roads will be used as car parks;
- Residents in Wrotham Road are concerned that their road has already turned into a lorry park;
- The proposed site access is unsuitable, and an alternative should be found;
- Car parking should be reasonably priced to encourage use of the facility, and to prevent car parking on local roads;
- Are there any proposals to improve cycle, pedestrian and public transport access to the site?
- There is no access provided for local residents between Morrisons Supermarket and Painters Ash School. A gateway should be provided to allow safe access for local residents;

Other:

- The site is currently being used illegally by quad/motorbikes due to a lack of security on site;
- Use by motorbikes, etc. not only causes noise and nuisance to local residents, but raises safety concerns for cyclists and walkers using the site;
- The tarmac paths/cycleways should be removed and the land planted with trees to stop nuisance use of the site;
- It is considered that the facility, particularly the pavilion, could become a burden to the rate payer;
- The site could become a target for vandalism and anti-social behaviour;
- The site is currently used by local people for walking and recreation, this proposal would totally ruin that;
- Payment to enter the Core Activity Park, and its location within an extensive fenced area, would not benefit the local community;
- Would the facility meet a local need or is a regional sports facility being provided at the expense of a local facility?



**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

- The proposals would have a significant urbanising effect over a large area, and the fencing would create a feeling of enclosure rather than openness. The development would not preserve the openness of the Green Belt;
- The facility is a money making facility, not a rural park for local residents.

**Discussion**

21. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (16) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include landscape and ecological impacts, access and car parking, design and siting of the pavilion and general amenity issues, including residential amenity. However, before these issues are discussed in detail, the siting of the development within the Metropolitan Green Belt must be considered and addressed. This application has not been advertised as a Departure from the Development Plan for the reasons detailed below.

**Green Belt**

22. As outlined in paragraph 1 of this report, all of the application site to the south of the old A2 carriageway is within the Metropolitan Green Belt. However, due to the nature of the development proposed, and the siting of the pavilion and car parking area upon the old A2 carriageway, the application is not, in my view, a departure from the Development Plan and has not therefore been advertised as a departure. The applicant discussed the implications of this development on the Green Belt within the submitted supporting documentation, and considered that the development constituted appropriate development within the Green Belt. For the reasons to be discussed below, the County Planning Authority also considered that the development would be an appropriate use within the context of Green Belt Policy and the guidance in PPG2 and, therefore, was not contrary to Development Plan Policies with regard to the Green Belt.
23. Appropriate uses within the Green Belt are well established through National Policy Guidance (PPG2) and case law. The Green Belts function is to preserve the openness of the Countryside and to prevent urban sprawl by maintaining separation between built up areas. However, as supported by Policy SP5 of the South East Plan, opportunity should be taken to improve the land use management and access to Green Belt land as part of initiatives to improve the rural/urban fringe. The Green Belt can, therefore, play a positive role in providing for increased access to the countryside for outdoor leisure and recreation. Uses should, however, also help to protect landscape and wildlife interest, keep land in agricultural and forestry use, and improve derelict or damaged land near towns.
24. There is a general presumption against inappropriate development within the Green Belt, and such development should not be approved except in very special circumstances. However, PPG2 lists a number of appropriate uses in the Green Belt, for which there is no presumption against development or a need to provide very special circumstances. One of the appropriate uses listed is '*essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it*'. PPG2 goes on to define 'essential facilities' as facilities which are genuinely

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport/recreation.

25. The layout of the Activity Park has been carefully considered by the applicant to provide all the required facilities whilst meeting the fundamental aims of Green Belt policy, to maintain openness and prevent urban sprawl. The application site is a ribbon of land sandwiched between the new and old carriageways of the A2 and the Activity Park proposed would be a positive land use for the site. The site runs the full length of the southern urban edge of Gravesend and, therefore, its development as an Activity Park would protect the area from the future encroachment of the built up area. It would also act as a buffer to assist in safeguarding the countryside from encroachment and preserve the setting and character of Gravesend. The Activity Park as a whole would improve public access to the Green Belt site, providing an informal recreation facility, a use supported by Policy and Guidance.
26. The main areas of built development on site would be the pavilion building and car parking areas. However, these two elements of the Activity Park have been carefully sited on the old A2 corridor, outside of the Green Belt boundary. The siting of these elements of the scheme and their impact on local/residential amenity will be discussed later in this report. However, the principle of locating the pavilion and car parking outside of the Green Belt boundary and as close to existing built development as possible is supported in terms of preserving the openness and functioning of the Green Belt. However, the remainder of the Activity Park, including the Core Activity Park, would be located within the Green Belt.
27. I consider the principle of the Activity Park as a whole to be an appropriate land use within the Green Belt, as it would improve access to the rural/urban fringe by providing a facility for outdoor sport and recreation. By far the largest part of the site would be open to the public for everyday informal use, maintaining the openness of the Green Belt whilst providing a facility for outdoor sport and recreation. Therefore, I consider that the wider Activity Park is appropriate development within the Green Belt, as defined in PPG2. However, the impact of the Core Activity Park and some of the Activity Parks associated facilities need to be considered in terms of their appropriateness. The Core Activity Park would be fenced, details of which are yet to be provided, and would contain hard landscaped elements such as the BMX and skateboard areas, the main cycle tracks and a small Multi Use Games Area (MUGA). However, none of these areas would be covered, thereby maintaining the openness of the Green Belt. In addition, the design objective for the site would be to integrate these facilities into new and existing mounding and landscaping. The applicant also advises that fencing would be low key and is only required to maintain a safe operating environment. I consider that the fencing should be of an appropriate height, style and colour and that further details should be submitted pursuant to condition, should permission be granted. Subject to this, and the submission of a scheme of landscaping, I do not consider that the fencing of the Core Activity Park, and the hard surfaced elements of the proposal, would have a significantly detrimental impact on the openness or functioning of the Green Belt. Therefore, I consider that the Core Activity Park would fall within the definition of appropriate development, as outlined in PPG2, as it would preserve the openness of the Green Belt and would not conflict with the purpose of including land within the Green Belt.
28. However, some minor supporting buildings that are essential to the functioning of the Activity Park are proposed to be located within the Green Belt. A small scale 'start

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

building' would be required adjacent to the cycle track, and a 10x8metre single storey maintenance building is proposed within the Core Activity Park. In addition, the overspill car park is proposed within the Green Belt, although this would be used only on a small number of occasions per year and would not be hard surfaced. Having accepted that the Activity Park is an appropriate use within the Green Belt, PPG2 states that essential facilities required for such land uses are also appropriate development. Examples given within PPG2 are small changing rooms or unobtrusive spectator accommodation. I consider that the provision of a 'start building' and a maintenance building would fall within the definition of essential facilities provided in PPG2, and are, therefore, also appropriate development within the Green Belt.

29. In summary, I consider the Activity Park as a whole to be an appropriate use within the Green Belt. The development would also accord with the general principles of relevant Development Plan Policies in that it would improve access to the Green Belt by providing a facility for outdoor leisure and recreation, whilst maintaining the openness of the Green Belt and safeguarding the countryside from encroachment. Therefore, I do not consider this application to be a Departure from Development Plan Policy, and see no reason to refuse this development on Green Belt grounds.

**Landscape and ecology**

30. As outlined in paragraph 2 of this report, the former A2 has already been converted into a combined cycle/footpath and equestrian route, and surplus spoil from the re-alignment of the A2 has been used to create soil mounds and landscaping. The applicant advises that the site has been planted with predominately native trees and shrubs, and is to be maintained to a similar standard to a Country Park. However, the applicant concludes that existing vegetation is of generally low amenity value, particularly as the new planting by the Highway Agency is yet to have an impact having only been planted in November 2008. It is the applicant's intention, however, to retain as much existing planting as possible to provide some structure and interest in the relatively open landscape. New native tree and shrub planting is also proposed to provide structure and interest to the landscape, and provide an attractive setting for the pavilion and tracks. The planting strategy would use native shrub planting along the southern boundary to clearly define the line between the Activity Park and the A2. In many places, hedge or linear type planting would be used to maximise space and enhance the biodiversity value of the site. Open grassland would also be maintained. In the more open eastern areas this would contain a mix of mown informal amenity spaces and un-mown areas to encourage wildlife. In the Core Activity Park grassland would be maintained for conservation, being mown only once a year.
31. Existing planting along the northern boundary would be thinned and managed to improve quality, with new planting added to strengthen its effectiveness as both a visual and physical barrier between the park and adjacent properties. The applicant advises that the management approach would be tailored in individual areas to respond directly to local concerns and issues that have arisen through the applicant's local consultation. However, I consider that the new planting would be of significant benefit to the site and locality, as well as helping to absorb the new development into its surroundings. The County Council's Landscape Advisor does not raise objection to this application, but does require further details to be submitted pursuant to condition, should permission be granted. These details include details of hard surfaces, earthworks and contours, fencing & gates, and details of planting design, species, densities and a specification including a maintenance strategy. Should permission be granted, a detailed scheme of landscaping and tree planting would be required pursuant to condition which would incorporate all of the required information. Therefore, subject to conditions ensuring that

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

trees to be retained are protected in accordance with BS5827: Trees in relation to construction and the submission of a detailed scheme of landscaping and tree planting, I see no reason to refuse this application on the grounds of tree related matters.

32. With regards to Biodiversity issues, an Ecological Scoping Survey Report was submitted with this application which indicates that further survey work for protected species is not required. Natural England is satisfied that the site has limited biodiversity interest and, therefore, has no concerns regarding the application, and concludes that the proposal should bring positive benefits to biodiversity with the planned woodland and grassland creation. However, should permission be granted, conditions would be imposed to ensure that the development is carried out in accordance with the recommendations of the submitted scoping survey, that nesting birds are not disturbed by construction activities and that the proposed ecological enhancements are incorporated into the scheme. Subject to the imposition of these conditions, I do not consider that the proposed development would have a detrimental impact on the ecological value of the site and, in fact, could enhance biodiversity interests.
33. The application site and the Activity Park development also has a wider landscape value and importance. SEEDA considers that the project complements the objectives of the Kent and Medway 'Greening the Gateway' Partnership and that the development would assist in building healthy and cohesive communities, an aim of the Parklands Programme included as part of the Thames Gateway Eco-Region prospectus. These initiatives are supported by Local and South East Plan Policies including South East Plan Policy KTG7. In addition, Natural England welcomes the proposal and is supportive of a scheme that provides open space and a valuable green buffer between the new A2 and the southern residential areas of Gravesend. Natural England consider that the provision of a natural park area in conjunction with a planned Activity Park meets with their desire for the provision of multi-use green space as part of a green infrastructure policy. Additionally, the scheme is in line with the aspirations of Ebbsfleet Valley and the A2 corridor Green Cluster Study and the Parklands Vision for the Thames Gateway, both of which are supported by Natural England. The provision of public amenity space, the promotion of healthy life styles, recreation based rural diversification and access to the countryside are all principles promoted by South East Plan Policies, and would all be facilitated by the provision of the Activity Park.
34. As outlined earlier in this report, part of the application site is existing agricultural land. The proposals would result in a loss of this agricultural land, which Gravesend Borough Council regard as 'best and most versatile land'. However, I share the conclusion of the Borough Council in that there are a number of factors that weigh against the lands retention for continued agricultural use and, as such, would not justify an objection to the proposals solely for this reason.

**Access and Parking**

35. In general, access to the site is good as the Activity Park would be located on the edge of an urban area, in close proximity to the major road network. The facility would, therefore, be easily accessible to a large population by car, cycle, public transport and on foot. However, local residents have expressed concern over access, traffic, congestion and parking, and Kent Highway Services have concerns over the major events proposed at the site. In addition the Highways Agency have concerns over the high level of car parking proposed, and wish to undertake further discussions with Kent Highway Services with regards to the number of participants and visitors envisaged to

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

visit the site, and whether or how any restrictions on the holding of major events should be linked to the number of participants.

36. First, I will address the issue of major events being held at the site, and will then move onto discuss general access and parking concerns associated with everyday typical usage of the site. As detailed in paragraph 14 of this report, the applicant is proposing to hold a limited number of 'major weekend events' at the site, which would involve mainly local, but sometimes regional, competitions. It is anticipated that a 'major weekend event' would attract approximately 1106 visitors (participants and spectators) to the site per day, generating approximately 455 motor vehicle trips per day. Although the applicant has submitted Transport Surveys and Assessments with this planning application, they relate to and assess the ability of the site, and the local highway network, to accommodate a 'typical weekend event'. In comparison to a 'major weekend event', and 'typical weekend event' is expected to generate 165 motor vehicle trips per day, attracting only 424 visitors per day.
37. Kent Highway Services are unable to assess the suitability of the site and the local highway network to accommodate a 'major weekend event' due to a lack of survey work. Kent Highway Services have no concerns or objections over 'typical weekend events' and/or everyday use of the site. However, with regards to 'major weekend events' further information is required to enable a proper planning assessment. This includes a 'Major Event Travel Management and Parking Management Strategy', regional and national level survey information taken at a comparable site, an assessment of key junctions, survey work with regards to the cycle and highway network, and details of any works required as a result of these surveys. In addition, Kent Highway Services require discussions to be undertaken with Morrison's Supermarket with regard to the provision of a pedestrian access to the Activity Park from the adjacent Morrison's site. The applicant has advised that they cannot provide the required information at this time due to the need to undertake survey work at a newly opened similar facility, and then relate this to the A2 Activity Park site, assessing the ability of the local highway network to accommodate such an event. In light of this, the applicant and Kent Highway Services have agreed that 'major weekend events' should be considered as a separate planning application to be submitted in the future.
38. Therefore, I consider that, should permission be granted, a condition of any consent would ensure that no 'major weekend events' could be held at the site until such time as a separate planning application has been submitted to, and permitted by, the County Planning Authority. Any permission would limit the use of the site to the number of participants and spectators expected for a 'typical weekend event' with regards to cycling, so that no more than 100 participants and 50 spectators could use the Core Activity Park per day. This could be measured as use of the Core Activity Park would be subject to a charge. Therefore, only 'typical weekend events' and everyday use of the facility would be approved at this time should Members agree with the recommendation in paragraph 66 of this report. This approach should also appease the concerns of the Highways Agency with regards to major events, although Members will be updated on any further views received from the Agency on the day of the Planning Applications Committee Meeting.
39. Although Kent Highway Services has no concerns over the general use of the site and 'typical weekend events', local residents have expressed concern over the siting of the vehicular access, siting of various pedestrian accesses and the impact that the development could have on the local highway network. The Transport Assessment submitted with this application concludes that all the roundabouts on the local highway network are working well and will continue to do so in 2011 (the proposed opening

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

year), with or without the traffic from the Activity Park. In light of this, it is considered that the impact of the development on the local road network would be minimal, a view supported in principle by a lack of objection from Kent Highway Services.

40. The applicant proposes a single dedicated point of vehicular access into the site, via the western side of the old A2 coast bound on-slip, which is currently used to access the Tollgate petrol station and residential properties. As outlined in paragraph 10 of this report, a priority junction with appropriate visibility splays would be created, which would be 6m wide and run westwards from the junction for approximately 200m, passing over the A227 Wrotham Road on the former A2 bridge, before joining the car park adjacent to the pavilion. Local residents have objected to the siting of this access, and suggest that an alternative be found. However, the applicant advises that prior to the Transport Assessment being undertaken a number of access options were explored and the access now proposed was considered to cause the least amount of congestion on the key local junctions. In addition, the proposed access works well operationally, requiring only a short access road to link the entrance to the car parking and pavilion, the location of which is fairly inflexible due to the need to be outside of the Green Belt boundary and adjacent to existing commercial uses, in order to protect residential amenity. In light of this, and in the absence of any concerns from Kent Highway Services, I consider the proposed vehicular access to the site to be acceptable.
41. Local residents have also expressed concern with regards to users of the existing park parking on local roads, causing congestion and raising safety concerns. Various pedestrian access points currently exist along the northern site boundary and, due to a lack of parking on site, users of the existing park are parking in local roads to use these accesses. However, I am advised by the applicant that during the hours of operation of the Core Activity Park and the pavilion (discussed in more detail later in this report) all users, including walkers, cyclists and dog walkers would be able to use the main on-site car parking facilities, reducing the existing problems of visitors to the park parking in local residential streets. The satellite car park, which has 20 spaces, to be provided at the western end of Church Road, would also aid in reducing on street car parking. In addition, although the applicant is intending to charge for car parking, there would be a short term 'free' period to accommodate local users/dog walkers, again minimising the need for anyone to park on local roads. Therefore, I consider that the proposed development should ease existing parking problems on local residential streets as dedicated parking facilities would be provide in site.
42. The main car park would be sited to the east of the pavilion and would be approximately 200m in length and 40m wide. The entrance to the main car park would be gated, with opening hours restricted to the operating hours of the Core Activity Park, as discussed below. In total the main car park would provide 170 tarmac car parking spaces, of which 17 would be allocated as disabled spaces, 18 motorcycle parking spaces, 5 coach spaces and 80 cycle spaces. An overspill car park of 167 spaces would also be provided to the south of the main car park and a further 20 spaces would be provided in the satellite car park. Kent Highway Services are satisfied with the level of parking proposed, and consider that the site could accommodate vehicular traffic associated with everyday use of the Activity Park and 'typical weekend events'. The car parking has also been sited to be outside of the boundary of the Green Belt, and in close proximity to existing commercial development to minimise disturbance to local residents. Notwithstanding the concerns of the Highways Agency, in light of the views of Kent Highway Services, I have no concerns over the level of parking proposed and consider the siting of the car parking to be the most appropriate given the constraints of the site.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

**Siting and design of the pavilion**

43. Local residents have expressed concern over the siting and design of the pavilion building, and consider the pavilion to be too close to residential properties and too large for the site's Green Belt location. As discussed earlier in this report, I am satisfied that the pavilion is outside of the boundary of the Metropolitan Green Belt, and that the development as a whole would not be contrary to Green Belt Planning Policy and Guidance. It is suggested that the pavilion building should be omitted from the scheme, although I am satisfied that a case of need for such a facility has been provided. The Core Activity Park could not function without a facility to allow participants to meet and prepare for events. The pavilion would also provide facilities such as a café/restaurant and general amenity spaces similar to those provided at County Parks across the County. The pavilion is a key aspect of the Activity Park as a whole, and is required to facilitate the successful management of the proposed development. However, the design and siting of the pavilion in terms of impact upon amenity needs to be considered.
44. The pavilion building would be sited to the west of the Tollgate Junction, immediately to the south of Morrison's supermarket. The applicant has carefully sited the built development to be outside of the Green Belt, but also to ensure that the pavilion and car parking associated with the Activity Park are adjacent to existing commercial uses within the urban area. As outlined in paragraph 7 of this report, the proposed siting of the pavilion also works well operationally, linked to the main pedestrian/cycle route through the site and located adjacent to the Core Activity Park, providing an entrance point and amenity area. The single storey building would vary in height from 3.15m to 5.7m depending on the size and use of the internal space, and would measure 81.2m in length and 32.6m in width. The building would be located over 120m from the closest residential property, and would be well screened by existing and proposed planting and landscaping. I consider that the applicant has carefully sited the pavilion within the site to work well operationally, whilst being outside of the Green Belt boundary and located adjacent to existing commercial uses. To move the building eastwards, as suggested, would affect the access and car parking arrangements, resulting in that being closer to residential properties to the east. Overall, I consider that the applicant has sited the pavilion building in the most suitable location on site and see no reason to refuse the application on these grounds.
45. The design of the pavilion has also been questioned, although I consider the single storey building to be appropriate in scale, and that the design would compliment the setting of the Activity Park. The applicant is proposing a limited palette of materials including walls of slate blue brickwork, white/grey render and natural timber boarding, grey aluminium framed windows and doors and aluminium/zinc and grey membrane roofing. In order to ensure that the materials are of a high quality I consider that details of external materials and finishes should be submitted pursuant to condition should permission be granted. In addition, to ensure a continuity of design across the site, I also consider that details of the design and material finishes of the ancillary buildings (start and maintenance building) should be submitted pursuant to planning condition, should permission be granted. Subject to these conditions, I do not consider that the design of the buildings on site would have a detrimental impact on the wider landscape or local amenity.
46. Although I consider the design and siting of the pavilion building to be acceptable, the impact of the use of the pavilion, and the Activity Park as a whole, needs to be addressed in terms of its impact upon residential amenity with regards to light, noise and air pollution, security and general amenity concerns.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

**General amenity issues**

47. The wider Activity Park would be open and accessible to all 24 hours a day 7 days a week, as it currently is. It is, therefore, not reasonably possible to limit night time activity across the wider park. However, the pavilion, car parking and Core Activity Park would be subject to restricted hours of use. The applicant is proposing that the Core Activity Park would be open for use between 7.00am and 10.00pm, and that the pavilion building and associated car parking would be open from 7.00am until 11.00pm. The additional hour in the evening would allow club meetings or classes for various activities to take place, and would enable users of the outdoor areas to shower and clear the site safely. The hours of use are acceptable in principle, but will be discussed in more detail below in relation to various amenity issues.
48. For clarification, the applicant has confirmed that entrance fees for the Activity Park would only be charged to those visitors wishing to make use of the facilities within the Core Activity Park. The café/restaurant and social facilities of the Activity Park would be freely open to all. In addition, for the avoidance of doubt, I can confirm that the application does not include the provision of a wind turbine.

**Security**

49. The existing use of the site, which is open at all times, has resulted in local residents becoming concerned over security and anti social behaviour. The site is being used illegally by motorcycles, which is a cause of disturbance to local residents and a health and safety risk to legitimate users of the existing facilities. Local residents are concerned that this application would exacerbate the existing problems, and increase security risks to adjacent properties. However, although the wider Activity Park would remain open at all times under this proposal, the applicant has taken steps to address these concerns, and confirms that motorised vehicles would not be able to use the facilities on site. The applicant has been made aware of local problems through their programme of consultation but is unable to fully address the situation at the moment as the land is controlled by the Highways Agency. However, the applicant has set up a specialist group, including Gravesham Borough Council CCTV security team, the local Police, KCC Country Parks Officers and representatives of the design team to monitor ongoing problems and refine a short and long term security strategy. As a result of this the applicant has already started investigating the use of a specialist security company, to be effective as soon as Kent County Council accepts control of the site. In addition to the above, increased legitimate activity at the Park should deter unauthorised use.
50. A fence would be erected around the perimeter of the Core Activity Park and the applicant advises that security staff would patrol the site regularly during times when the site is closed. CCTV cameras would also be installed at key locations throughout the Activity Park to deter unauthorised use, details of which would be required pursuant to condition should permission be granted. In addition, the pavilion building has been designed with careful consideration to 'Secure by Design' principles, which places an emphasis on the visibility of entrances, promoting a sense of ownership and ensuring continuous activity to deter the minority who may wish to be disruptive. Finally, the applicant has agreed to reinforce the existing boundary planting and close gaps in the boundary where necessary, details of which would be provided in the required landscaping scheme. In light of the information provided above, I do not consider that the proposed Activity Park would lead to an increase in anti social behaviour and, if anything, would deter the current illegal use of the facilities and improve the security of



**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

the site. I therefore see no reason to require further details with regards to security of the site to be submitted for consideration.

Noise

51. Local residents have expressed concern over the potential noise implications of the development with regards to increased traffic and increased use of the Activity Park itself. The applicant has provided additional information with regard to noise generated by the site, and has also confirmed that the existing landscape mounding would be retained in all areas, except where necessary to build the pavilion and car park, to ensure the best possible noise and visual mitigation.
52. The County Council's Noise Advisor has no concerns over the noise levels that would be generated by traffic associated with a 'typical weekend event' but did have some concerns over the noise implications of traffic associated with 'major weekend events'. However, due to the limited number of 'major weekend events' initially proposed the Noise Advisor was satisfied that these occasional periods of elevated noise were not an overriding concern. However, as discussed earlier in this report, 'major weekend events' are not recommended for approval as part of this application due to overriding concerns expressed by Kent Highway Services and, therefore, should an application for major events be submitted at a later date, further noise survey information should be included at that time to allow an accurate assessment of noise implications to be made. I have no concerns over the noise implications of traffic associated with typical use of the site and see no reason to refuse the application on these grounds.
53. However, use of the Activity Park itself could have implications with regards to noise generated by participants in events, spectators, and those using the site for informal recreation purposes. The County Council's Noise Advisor is satisfied that the anticipated number of visitors (participants and spectators) would not result in an adverse impact from crowd noise. This conclusion was drawn when also assessing 'major weekend events' so I am more than satisfied that 'typical weekend use' of the facility, and day to day recreational use, would not have a significantly detrimental impact on the amenity of neighbouring residents.
54. However, one possible cause of concern would be the use of public address or tannoy systems which, at this time, the applicant cannot confirm their use or otherwise. Although such systems would more than likely have been used in association with 'major weekend events', for the avoidance of doubt and in the interests of protecting the amenity of adjoining properties, I consider that a condition of consent should limit the noise levels emanating from any public address/tannoy system. The County Council's Noise Advisor has suggested the following condition, and I consider that this should form the basis of a condition of consent, should Members be minded to permit.

*The noise level emanating from any public address system, tannoy system or speaker system shall not exceed 55 dB  $L_{Aeq,1hour}$  at the nearest residential premises. The measured noise level shall be undertaken under free-field conditions at 1.5m in height and the sound level meter shall be set to record in 'fast' mode."*

External lighting

55. Very few details have been provided with regards to the external lighting of the Activity Park at this stage as the specific lighting designs cannot be finalised until the detailed design of some individual elements is complete e.g. the skatepark. Local residents have

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

expressed concern over the impact that external lighting could have on their amenity, and the wider landscape. However, the site is sandwiched between the edge of the urban area and the new A2 corridor, both of which are lit. Therefore, I do not consider that lighting the facilities within the park would have a detrimental impact on the wider landscape as the surrounding area is already well lit at night. However, consideration must be given to the impact of lighting on the amenity of adjoining residential properties.

56. The applicant advises that lighting proposed for the Activity Park would be predominantly within the Core Activity Park and placed with careful consideration to local residents. As outlined in paragraph 15 of this report, the car park, access and pavilion would be lit and amenity lighting would be provided between the pavilion and the car park for the safety of the users of the facilities. The BMX area and skatepark, as well as other facilities within the Core Activity Park, would require lighting, details of which are yet to be provided. The applicant advises that lighting would be installed to meet the needs of the individual facilities only and certainly not designed to cover the whole park. All lighting, except that necessary for security, would be turned off at 10pm. In light of this, I consider that if permission is granted it would be appropriate to reserve details by condition so that the type and position of any external lighting can be controlled to ensure any potential nuisance from light pollution can be minimised. In addition, a further condition of consent would require all lighting, apart from that associated with security, to be extinguished by 10pm, or 15 minutes after the last use of the facility should that be earlier. Lastly, the Borough Council request that the existing parks cycle/footpath and bridle way are not lit unless express permission is sought. Should permission be granted, this would form a condition of consent. Subject to these conditions, I do not consider that external lighting would have a significantly detrimental impact on the amenity of adjoining residents.

#### Air Pollution

57. Local residents have expressed concern over the potential increase in air pollution generated by the additional vehicular traffic that the Activity Park would attract. In addition, Natural England consider it important to ensure that air quality issues are carefully considered in the design of the Activity Park to ensure that there would be no health implications as a result of undertaking aerobic exercise next to the A2. The applicant has confirmed that the actual tracks are some distance from the A2 and that pollutant concentrations tend towards background levels at this distance. The County Council's Dust/Odour Advisor concludes that users of the park are unlikely to experience a detriment in air quality as a result of the location of the Activity Park and, therefore, are satisfied that users of the facility would not be subject to health risks. With regards to existing residents/receptors, the County Council's Advisor considers it unlikely that the scheme would result in a detriment in air quality due to the relatively low numbers of vehicles expected to visit the park for the most part. Therefore, I am satisfied that the development would not increase air pollution in the vicinity due to increased vehicular traffic, and that users of the facility would not be subject to high levels of pollutants due to the sites proximity to the A2.

#### Hours of use

58. In light of the above, I consider the proposed hours of use, as detailed in paragraph 47, to be acceptable, subject to the conditions outlined above and the extinguishing of external lighting at 10.00pm. I do not consider that the proposed hours of use would have an unacceptable impact on the amenity of neighbouring residents.

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

**Archaeology**

59. A 'Cultural Heritage Desk Based Assessment' accompanied this planning application, and additional information has been provided by the applicant throughout the determination process to address queries raised by the County Archaeologist. The County Archaeologist has concluded that in order to secure the appropriate level of evaluation and mitigation of archaeological potential at the site, conditions of consent should be imposed. It is requested that no development takes place until the applicant has secured the implementation of a programme of archaeological work, and has submitted details of foundation designs and any other proposals involving below grounds excavations. Therefore, subject to the imposition of the required conditions, I do not consider that this proposal would have a detrimental impact on archaeological remains.

**Drainage and Land Contamination**

60. The Environment Agency raises no objection to this application subject to the imposition of conditions regarding surface water drainage, foul drainage and land contamination. Gravesham Borough Council has also requested the imposition of a condition regarding the submission of further survey work concerning land contamination. Therefore, I consider that subject to the imposition of a condition requiring the submission of a scheme to deal with the risks associated with contamination of the site prior to the commencement of the development, the development could be controlled to ensure that it would not result in unacceptable pollution levels. In addition, at the request of the Environment Agency, should permission be granted a condition would be imposed to ensure that no infiltration of surface water drainage into the ground be permitted other than with the express consent of the County Planning Authority. Again, this would ensure that the development would not result in an unacceptable level of pollution, in accordance with the principles of Development Plan Policy.

**Construction**

61. Given that there are neighbouring residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction and works on site in order to protect residential amenity. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. In addition, should permission be granted details of a 'construction code of practice' would be required pursuant condition, which should include details of measures to ensure that dust, noise, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents. Details of construction methodology should also be included within the code of practice.

**Need/alternative sites**

62. Local residents have questioned the need for the proposed Activity Park, and suggest that it could be a commercial venture rather than a facility for local use. The applicant advises that the initiative for the Activity Park has never been as a result of any short term interest in cycling/skateboarding etc. due to the Olympics, and that there is a genuine requirement in the area for an activity based facility. The letters of support received during the determination of this application from cycling clubs and individuals demonstrate a real need and want for a dedicated cycling facility of this nature. The

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

applicant states that support for the park is borne out of genuine local support from specialist cycle and sports clubs, and from the general youth and community service sectors. It is also important that the existing park finds a mechanism whereby it can support and justify itself and the security strategy that goes with it.

63. The applicant has also confirmed that this planning application does not, and has never, included proposals for a football stadium. The applicant states that they are not associated with any negotiations with Ebbsfleet United and do not feel that inclusion of football facilities would be in keeping with the vision for the Activity Park, or the ability to comply with Green Belt Policy.

**Conclusion**

64. This proposal has given rise to a variety of issues, including the appropriateness of the development within the Green Belt, the impact of the proposed development on the openness of the Green Belt and the wider landscape, highway and access implications and general amenity issues. However, I consider that the development constitutes appropriate development within the Green Belt, as defined in PPG2, and that the Activity Park and its associated facilities would not have a significantly detrimental impact on the openness of the Green Belt. I do not consider that the development would conflict with Green Belt Policy and/or the functioning of the Green Belt. On balance, therefore, subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general principles of the relevant Development Plan Policies. Therefore, I recommend that permission be granted subject to appropriate conditions.
65. In light of the current economic climate, and the complexity of the development, I consider it appropriate in this instance to allow the applicant 5 years within which to implement the development, in lieu of the usual 3 year time frame.

**Recommendation**

66. I RECOMMEND that subject to the resolution of the Highway Agency's concerns with regards to the Holding Direction, that PERMISSION BE GRANTED SUBJECT to conditions, covering:
- A 5 year time limit for implementation;
  - the development to be carried out in accordance with the permitted details;
  - no 'major weekend events' to be held on site until such time as an application for such events is submitted to and permitted by the County Planning Authority;
  - the submission of details of all materials to be used externally for the pavilion and ancillary buildings, and design details of the ancillary buildings;
  - details of all external lighting including security lighting, lighting of the pavilion and car park, and lighting of the facilities within the Core Activity Park;
  - no lighting of the existing parks cycle/footpath or bridle way without approval;
  - all lighting on site, except security lighting, to be extinguished by 10pm, or 15 minutes after last use of the facility if earlier;
  - details of CCTV;
  - a scheme of hard and soft landscaping, its implementation and maintenance, and details of earth works and land contours;
  - measures to protect trees to be retained;
  - details of fencing, gates and means of enclosure, including colour finishes;
  - contaminated land assessment;
  - control of surface water drainage;

**A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend – GR/09/440**

---

- limit on noise levels from public address/tannoy systems;
- details of foundation design/below ground excavations;
- implementation of a programme of archaeological work;
- development to accord with the recommendations made in the submitted Ecological Scoping Survey;
- protection of nesting birds;
- identified ecological enhancements to be incorporated into the scheme;
- the provision of car parking and access prior to occupation;
- the provision of overflow parking, should in be required;
- restrictions on hours of use of the Core Activity Park, and the pavilion and car park;
- hours of working during construction;
- construction code of practice to include measures to prevent dust etc during construction, prevention of the deposition of mud on the local highway network and details of construction methodology.

Case officer – Mary Green	01622 221066
---------------------------	--------------

Background documents - See section heading
--

This page is intentionally left blank

**Item D6****Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 August 2009.

Application by Lower Halstow Primary School for new detached single storey timber clad dining hall with ramped access, playground extension and pond at Lower Halstow Primary School, School Lane, Lower Halstow, Sittingbourne

Recommendation: Planning permission be granted subject to conditions.

Local Member: Mr. M. Whiting & Mr A. Willicombe

Classification: Unrestricted

**Site**

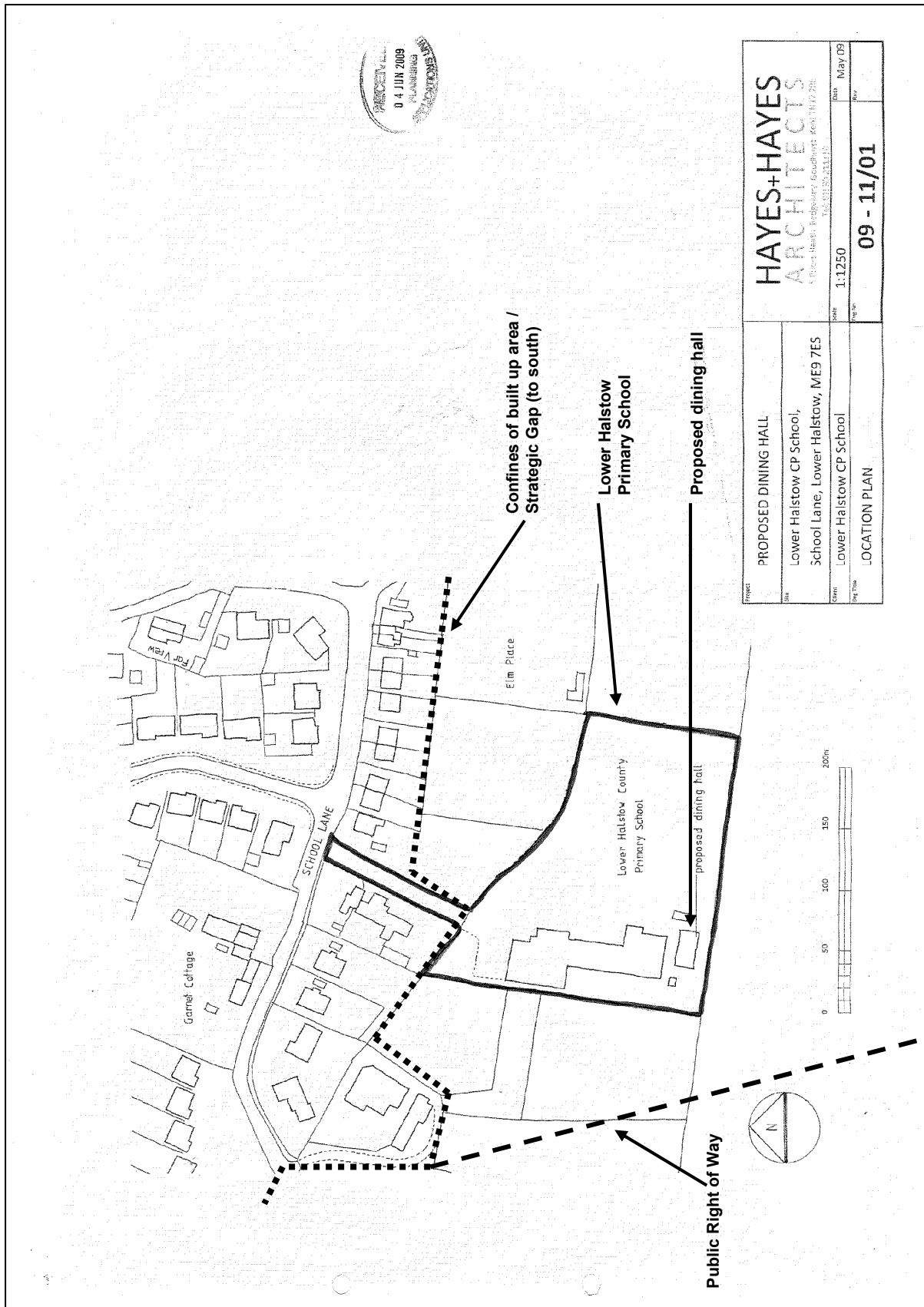
1. Lower Halstow Primary School is situated off School Lane on the southern edge of the village of Lower Halstow; approximately 3.5km north-west of Sittingbourne. The School comprises a relatively modern single storey building with a mix of flat and pitched roofs, which runs along the western boundary of the school grounds. A double height sports hall is located to the south of the main building. The schools playing field is located to the east, with open countryside / farmland surrounding the school to the south, east and west. The grounds are enclosed by mature / semi mature trees planted along the respective boundaries. The application site forms a small area approximately 0.015ha of the overall school site and is located between the sports hall and the southern boundary. The nearest residential properties to the application site are approximately 90m to the north. A Public Right of Way passes through the field to the south-west of the school grounds - *a site location plan is included over the page.*
2. The entire school grounds are outside of the village confines as designated in the Swale Borough Local Plan within the wider countryside, and a designated as part of the Strategic Gap, north of the A2 separating Sittingbourne from the Medway Towns. There are no other site specific land use designations in the adopted Local Plan, although general policies are set out in paragraph (9).

**Background**

3. Lower Halstow Primary School underwent a major redevelopment to provide new facilities in 2005. This project was funded by the disposal of the original post-war school building adjacent to the main entrance to the school site; this building originally accommodated a multi purpose sports hall and dining facility. The extensions to the school (under planning reference SW/02/1372) included new teaching accommodation to provide two classrooms, a sports hall with changing and storage facilities, and the remodelling / extension of the existing buildings. The sports hall was funded through a grant awarded by Sport England. The School hoped that the sports hall would double up as a school hall and dining facility, however, a condition of the funding restricted the facilities to sports use only.
4. The school currently has no dining or kitchen facilities, hot meals are provided by outside caterers and pupils eat their lunch in various locations including a mobile classroom and a store room which has no windows or ventilation. Neither location has adequate facilities to provide for the School's needs, presenting logistical difficulties and potential health and safety concerns.

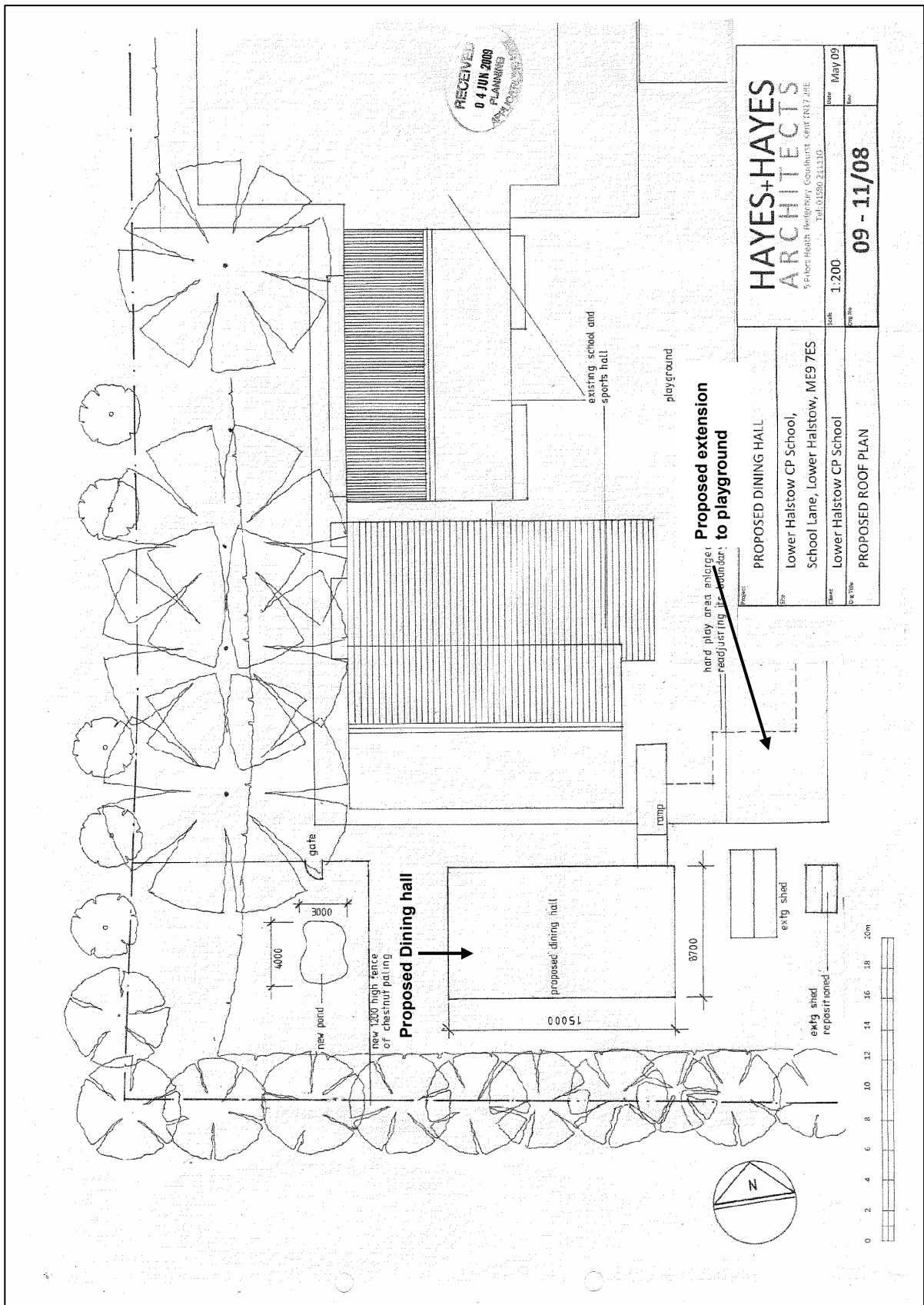
**Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

**Site Location Plan**

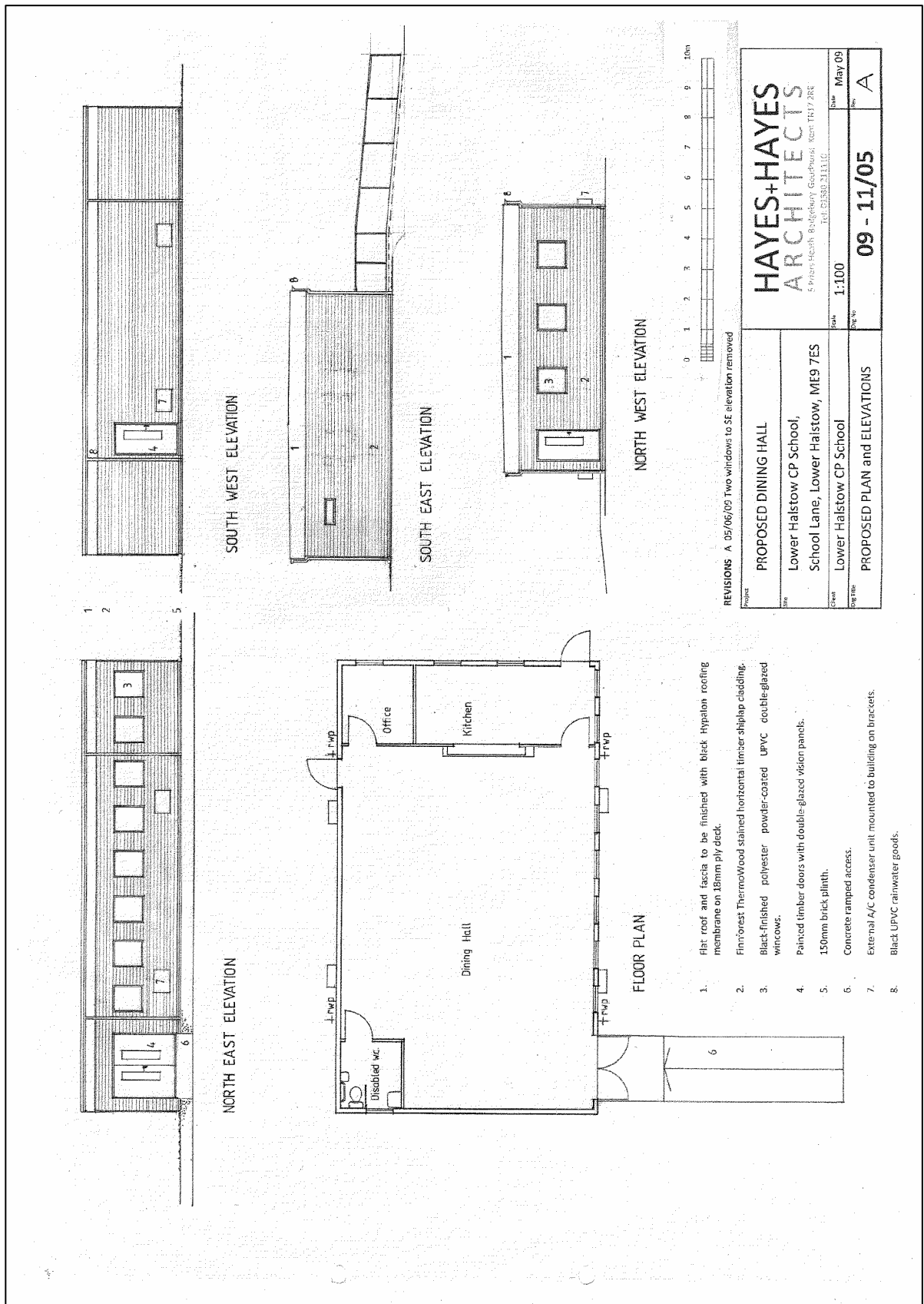




Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513



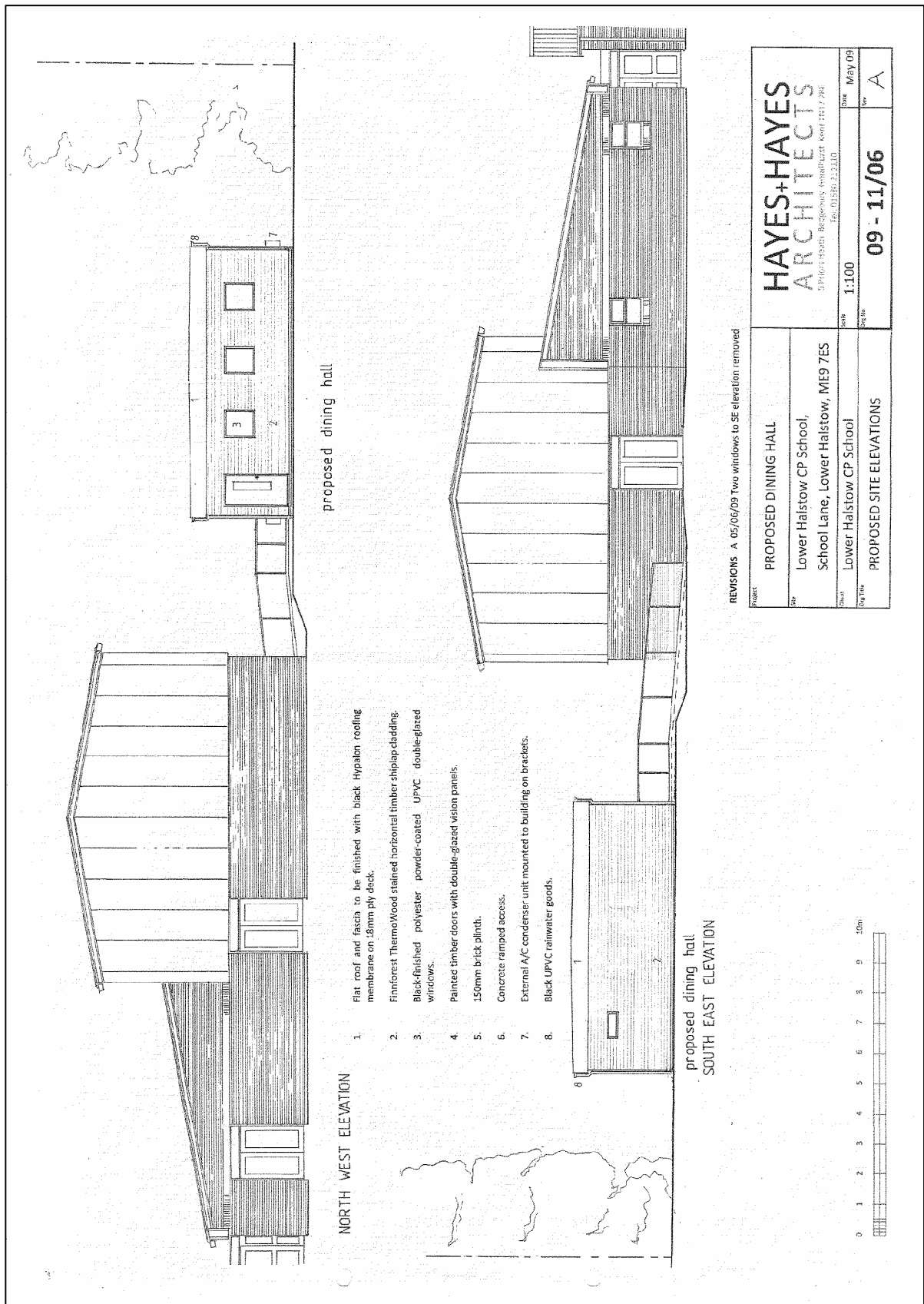
Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513



<b>HAYES+HAYES ARCHITECTS</b> 5 Priors Heath Blythburgh Geophones Kent TR17 2RE Tel: 01582 211110	
Project	PROPOSED DINING HALL
Site	Lower Halstow CP School, School Lane, Lower Halstow, ME9 7ES
Client	Lower Halstow CP School
Scale	1:100
Date	May 09
Drawn by	09 - 11/05
Check by	A

- FLOOR PLAN**
1. Flat roof and fascia to be finished with black Hypalon roofing membrane on 18mm ply deck.
  2. Finforest ThermoWood stained horizontal timber ship-lap cladding.
  3. Black-finished polyester powder-coated UPVC double-glazed windows.
  4. Painted timber doors with double-glazed vision panels.
  5. 150mm brick plinth.
  6. Concrete ramped access.
  7. External A/C condenser unit mounted to building on brackets.
  8. Black UPVC rainwater goods.

Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513



Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513

Proposed building viewed from the north

NORTH EAST ELEVATION

proposed dining hall

SCOUTH WEST ELEVATION

1. Flat roof and fascia to be finished with black Hypalon roofing membrane on 18mm ply deck.

2. Finforest ThermoWood stained horizontal timber shiplap cladding.

3. Black-finished polyester powder-coated UPVC double-glazed windows.

4. Painted timber doors with double-glazed vision panels.

5. 150mm brick plinth.

6. Concrete ramped access.

7. External A/C condenser unit mounted to building on brackets.

8. Black UPVC rainwater goods.

<b>HAYES+HAYES ARCHITECTS</b> 5 Priory Heath Beckwith Gainsborough East TA27 2ZL Tel: 01538 211110		Date: May 09 By:
Project: PROPOSED DINING HALL Client: Lower Halstow CP School, School Lane, Lower Halstow, ME9 7ES Scale: 1:100	Date: 09 - 11/07 By:	Title: PROPOSED SITE ELEVATIONS

**Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

---

**Proposal**

5. The application has been submitted on behalf of Lower Halstow Primary School and proposes the construction of a new separate dining hall. The dining hall would allow children to eat cooked and packed lunch together in one sitting which would improve health and safety of the children and staff, and facilitate supervision. The application site is located to the rear of the school grounds behind an existing sports hall. The proposed location is currently occupied in part by existing school sheds and forms part of a landscaped amenity space between the sports hall and the boundary of the school grounds.
6. The proposed development consists of a single storey timber clad modular building, that would measure approximately 15m by 8.7m by 3.3m in height, providing approximately 130m<sup>2</sup> of floor-space. The new floor-space would be divided between dining hall, kitchen, office and wc to support the existing facilities and school roll. The single storey modular construction would be finished to a high standard, including horizontal timber shiplap cladding, timber doors and black-finished powder coat UPVC windows. The building would be fully accessible and Disability Discrimination Act (DDA) compliant.
7. The application also includes a minor extension of the existing hard play area by 150 m<sup>2</sup>, and the creation of a small ecological pond to the west of the proposed dining hall.

**Additional information provided by the applicant**

8. In support of the proposals the applicant provided a further statement. This document set out the background to the development, highlighting the lack of suitable dining facilities available to the School. The applicant's agent considers the proposed building to be a suitable, sustainable and deliverable approach to meeting the needs of the School in a practicable and affordable manner. The statement indicates that the quality of modular buildings has progressed inordinately in the past 20 years, with a level of finish matching or surpassing those found on conventional buildings. The design of the modular building has been selected to include traditional wood cladding for its superior qualities and sustainability. The applicant states that the timber cladding would reflect the vernacular of local traditional weather-boarded buildings in Kent.

**Planning Policy**

9. The key Development Plan Policies summarised below are relevant to consideration of the application:

(i) The adopted 2009 **South East Plan**:

- |                   |  |
|-------------------|--|
| <b>Policy CC1</b> | Seeks to achieve and maintain sustainable development in the region  |
| <b>Policy CC6</b> | Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.                          |
| <b>Policy C4</b>  | Seeks to protect open countryside by ensuring all development respects and enhances local landscape character, securing appropriate mitigation where damage cannot be avoided. |

**Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

---

**Policy BE5** Seeks new development in rural communities to be subject to design and sustainability criteria so that the distinctive character of the village is not damaged; seeks to protect or extend key local services and protect landscape setting of the village

**Policy KTG1** Amongst other matters, seeks to set high standards of design and sustainability, and avoid coalescence with adjoining settlements to the south, east and west of Medway and to the west of Sittingbourne.

**Policy S3** Seeks to ensure the adequate provision of pre-school, school, and community learning facilities.

(ii) The adopted 2008 **Swale Borough Local Plan:**

**Policy SP1** In meeting the development needs of the Borough, proposals should accord with principles of Sustainable Development, including minimising impact on the environment, ensuring provision of community infrastructure, supporting existing local services, and a high quality of design that respects local distinctiveness.

**Policy SP5** Development proposals within the countryside and rural communities will seek to increase self sufficiency and satisfying local needs, whilst protecting, and where possible enhancing, the character of the wider countryside. Including demanding high design standards that respond positively to the character and form of the countryside and rural communities, protecting the countryside from unnecessary development, and permit innovative proposals that increase the viability of existing rural services.

**Policy E1** Development proposals should, amongst others, respond positively by reflecting the positive characteristics of the features of the site and locality; protect and enhance the natural and built environments; be well sited and of a scale, design and appearance that is appropriate to its location; cause no demonstrable harm to residential amenity and other sensitive uses.

**Policy E6** The quality, character and amenity value of the wider countryside of the Borough, will be protected and where possible enhanced. Development proposals will on be developed where it provides a service/ necessary community infrastructure to meet the essential needs of the local community.

**Policy E7** Seeks to retain the individual character and setting of settlements within the strategic gap defined on the Proposals Map, within the gap development will not be permitted that result in merger of settlements, or results in erosion of land or its open character.

**Policy E9** Seeks to protect the quality, character and amenity of the wider landscape, through development that is sympathetic to, and minimises impact on local landscape character.

**Policy E19** Seeks development to be of high quality design that responds positively to creating safe, accessible, and attractive places; enriching

**Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

---

the qualities of the existing environment by promoting local distinctiveness and strengthening the sense of place; appropriate to its context in respect of scale, height and massing; making best use of texture, colour, pattern and durability of materials; and achieving flexibility to respond to future changes in use, lifestyle and demography.

**Policy C1** Supports proposals for new or improved community facilities.

**Consultations**

10. **Swale Borough Council** – raises objection to the proposal on the following grounds:-

*‘The proposed development, would be poorly designed, and would harm the character and appearance of the countryside and the Strategic Gap. The proposal is therefore contrary to Policies E1, E6, E7 and E19 of the Swale Borough Local Plan 2008, and C4 of the South East Plan.’*

In response to additional information supporting received from the applicant the Borough Council maintains its objection to the proposal. Comments received read as follows:-

*‘Whilst the Borough Council are happy with the external materials, the design, form and use of a flat roof give the proposed dining hall the appearance of a temporary, mobile classroom. As the site lies within both the countryside and a Strategic Gap, design and visual amenity are key factors in determining the application. It is recognised that the proposed building is to the rear of the school; however, there would be distant views of the site from Wardwell Lane, and from the footpaths across the field immediately to the south.*

*The Borough Council appreciates that KCC officers have discussed alternative designs with the applicants, and also the cost implications of such revisions. However, the current design is not considered to be of sufficient quality for a permanent building within the countryside...’*

**Lower Halstow Parish Council** – raises no objection to the application, although comments that they would have preferred to see a slightly larger hall.

**Divisional Transportation Manager** – raises no objection to the application in respect of highways matters.

**Local Members**

11. Mr. M. Whiting and Mr A. Willcombe, the local County Members for Swale Central were notified of the application on the 11 June 2009. Written representation has been received from Mr Willicombe raising no objections, and Mr Whiting fully supporting the application.

**Publicity**

12. The application was publicised by the posting of a site notice on School Lane. There are no residential properties within 90m of the application site.

**Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

---

**Representations**

13. No letters of representation have been received from local residents; any views received prior to Committee meeting will be reported verbally.

**Discussion**

**Introduction**

14. This application seeks planning permission for the construction of a single storey enhanced modular building to provide a school dining hall. Existing accommodation within the main school building does not provide appropriate space for pupils to eat their lunch; at present the school uses an existing mobile classroom that accommodates an after school club, and a store room within the sports hall that has no windows or ventilation. The application is being reported to the Planning Applications Committee as a result of an objection raised by Swale Borough Council on the grounds that the design of the proposed building would harm the character and appearance of the countryside and Strategic Gap – *please see paragraph (10) above.*
15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In this particular case, I consider that the main determining considerations relate to the siting and design of the proposed building within the countryside.

**Siting and design**

16. The application site is located outside of the built confines of the village of Lower Halstow as defined in the Swale Borough Local Plan Proposals Map. This part of the countryside is within the Strategic Gap between Sittingbourne and Medway. As such any development proposal within the school grounds is subject to a number of Development Plan Policies that seek to protect the character of the countryside. The broad thrust of these policies presumes against development and seeks to preserve and/or enhance the countryside for its own sake, subject to a limited number of exceptional circumstances.
17. Swale Borough Local Plan Policies SP5, E7 and E9 seek to protect the countryside from unnecessary development and preserve the open character of the landscape, particularly within the defined Strategic Gap. Policies SP1, SP5, E6 and C1 seek to support the provision of new and enhanced community services that increase self sufficiency and support local needs, subject to a high standard of design that responds positively to local characteristics. Policy E6 seeks to protect the character of the countryside, setting out that development will only be permitted that enables rural communities to meet their essential needs or provides necessary community infrastructure. The South East Plan whilst no longer specifically referring to the need to protect the strategic gap has Policies CC6, C4, BE5 and KTG1 that seek to protect the open countryside by ensuring development respects the character of the settlement or local landscape and avoid coalescence of adjoining settlements.



**Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

---

18. Swale Borough Council raise an objection to the application on grounds of poor design that would harm the character and appearance of the countryside and the Strategic Gap, contrary to the policies Development Plan Policies set out above. The Borough Council comment that the external materials proposed would be acceptable, however it is the design, form and use of a flat roof that give the appearance of a temporary, mobile classroom, and are not considered to be of sufficient quality for permanent retention. The Borough Planning Officer notes that the proposed building is to the rear of the school, however considers there would be distant views of the site from Wardwell Lane (over 160m to the south-east), and from public footpaths that across the fields immediately to the south (approximately 50m away at the closest point).
19. The application states the single storey modular construction was chosen for its practicalities in meeting the Schools needs in a deliverable manner. The Planning Authority has been in negotiation with the applicant with a view to enhance the design, through potential improvements to the fenestration or the possible inclusion of a pitched roof. However, after further investigations the applicant has confirmed that additional enhancements to the design are not possible within the available budget and it has been requested that the application be determined as submitted.
20. The supporting statement received draws attention to the enhanced finish of the modular building, which includes timber cladding. The application states that the timber cladding was chosen to reflect the vernacular of local traditional weather-boarded building in Kent, and for its superior qualities and sustainability. The flat roof proposed would be finished with a black Hypalon roofing membrane which was chosen due to its long life quality and minimum maintenance requirements. The applicant comments that the single storey development would be subservient to the existing sports hall in terms of its scale and massing, and that the proposal would echo the form of the existing school buildings, which includes a single storey flat roofed element. The position of the building was chosen to compliment the existing linear form of the school by continuing the line of buildings along the west side of the site.
21. It is noted that the entire school grounds fall outside the confines of Lower Halstow. The site is directly adjacent to the village set back from the street scene. The school grounds form an established use in the countryside and are well screened in the landscape by mature scrub and tree planting to the boundaries. On this basis, I do not consider that a minor development, ancillary to the educational use of the site would be contrary to Local Plan Policy that seeks to preserve the strategic gap. The development proposed would not result in the merging of settlements or result in the erosion of land or significantly affect the open countryside.
22. The application site is to the rear of the main school building and would, in my opinion, be the most appropriate location within the grounds to improve the facilities available on site. The application site does not impact on the school's playing field provision, and is currently occupied by two school sheds that would be retained on site. The proposal would have no impacts on local amenities as it would not increase activity at the school, and the closest residential property is over 90m to the north on the far side of the school buildings.
23. The application also includes the provision of a minor extension to the school playground (approximately 150m<sup>2</sup> – *please see drawing 09-11/08 on page D6.3*) and provision on a new ecological pond (3m by 4m). In my opinion neither element of the application would result in any adverse environmental or amenity impacts.

**Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

---

24. I consider that the main determining factor, in this instance, is the design of the building and its visual impact on the local and wider landscape. Due to the nature of its construction the building is small scale and unlikely to have a significant impact on long distance views. The location proposed is almost completely screened to the north by the school buildings –see *drawing 09-11/07 page D6.6*. To the south, west and east the location is screened from the open countryside by a bank of mature trees and scrub. In my opinion, during the summer months when the trees are in leaf, the location would be hardly visible from the nearby public right of way or from wider vantage points in the countryside. During the winter months the location may be slightly more visible; however any view of the proposal would be broken up by the trunks of the trees to be retained. The building would also be viewed against the back drop of the existing school buildings and would not substantially increase the built footprint. I therefore consider that the application site would not have a significant impact on the open character of the wider landscape. The building would only be visible at a local level from within the school grounds, primarily to the east. It is noted that the application proposes to re-site the existing wooden storage sheds immediately to the east of the proposed building partially obstructing this elevation.
25. I acknowledge that the design of the building due to its form would potentially create the impression of a more temporary structure; the fenestrations proposed do not help the building to depart from this image. However, on the basis of the additional information received from the applicant I am satisfied that the finish that would be achieved through the superior design, including horizontal shiplap timber cladding with black powder coated windows, would accomplish an acceptable visual appearance. In my opinion the use of timber cladding would work well with the yellow brick used in the construction of the main school building. The enhancements in the design would set the modular building apart from a traditional mobile classroom enabling it to be consider for permanent retention – *photographs demonstrating existing examples of the building proposed will be displayed at the Committee meeting*.
26. Taking the above details into consideration, I consider that whilst an enhanced design would be preferable in this location, this needs to be set against the likely visual impacts of the development as proposed and the benefits to the existing community use. I am satisfied that there is an established need for the proposed development and that the proposal would help to support a key local service. In this instance the benefits to the community, in my opinion, justifies the development of land within the countryside. Whilst the modular design has caused concern, I consider that the materials proposed would help to link the development into the landscape. I consider that the building as proposed would not appear out of place and would not have an unacceptable impact on the character of its surroundings. On balance, I would not raise a material-planning objection to the application on siting or design grounds, and consider that the development accords with the relevant Development Plan Policies in place.

**Conclusion**

27. I consider that the applicant has demonstrated circumstances that would allow the consideration of a new development in the wider countryside. The benefits of providing support to an existing community service would outweigh any detrimental impacts from developing the proposed location. The building is relatively small and would not be prominent in the wider landscape. I note the modular design has resulted in objections from the Borough Council, however I am satisfied that the materials proposed would serve to enhance the visual appearance sufficiently to be considered acceptable given the local environment. Therefore, subject to appropriate conditions including those set

**Dining Hall and playground extension at Lower Halstow Primary School, Lower Halstow – SW/09/513**

---

out below, I would not raise a planning objection and recommend that the application be granted permission.

**Recommendation**

28. I RECOMMEND THAT PERMISSION BE GRANTED SUBJECT TO the imposition of conditions, including:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the development to be constructed using the materials set out in the drawings received;

Case officer – James Bickle	01622 221068
-----------------------------	--------------

Background documents - See section heading
--

This page is intentionally left blank

**E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT  
PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS -  
MEMBERS' INFORMATION**

---

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

**Background Documents** - The deposited documents.

- AS/09/331 Variation of condition 7 of planning permission AS/05/893 to be modified to accommodate changes to proposed hours of operation from April to September. Wednesday hours to be reduced from 19:30 hrs and Thursday permitted times increased from 18:00 hrs to 19:30 hrs.  
KCC Householder Waste Recycling Centre (HWRC), Chart Leacon, Brunswick Road, Ashford
- AS/09/616 Variation of condition 2 of planning permission AS/05/893 to allow modifications and upgrades to HWRC to permit better access arrangements and improved material handling.  
KCC Householder Waste Recycling Centre (HWRC), Chart Leacon, Brunswick Road, Ashford
- AS/09/710 2 no. single storey extension to form hygiene suites and toilets.  
The Wyvern School, Clockhouse, Ashford
- DO/09/505 Hours of working condition to be modified to accommodate changes to proposed hours of operation from April to September. Wednesday hours to be reduced to 19:30 hrs and Thursday permitted times increased from 18:00 to 19:30 hrs.  
KCC Whitfield HWRC, Honeywood Road, Whitfield, Dover
- MA/09/948 Variation of condition 3 of planning permission MA/93/372 to be modified to accommodate changes to proposed hours of operation from April to September; Wednesday operational hours to be reduced to 19:30 hrs and Thursday operational hours to be increased from 18:00 hrs to 19:30 hrs.  
KCC Householder Waste Recycling Centre (HWRC), Burial Ground Lane, Tovil, Maidstone.
- SW/09/457 Hours of working condition to be modified to accommodate changes to proposed hours of operation from April to September. Wednesday hours to be reduced to 19:30 hrs and Thursday permitted times increased from 18:00 to 19:30 hrs.  
KCC Church Marshes HWRC, Gas Road, Milton, Sittingbourne
- TH/09/566 Hours of working condition to be modified to accommodate changes to proposed hours of operation from April to September. Wednesday hours to be reduced to 19:30 hrs and Thursday permitted times increased from 18:00 to 19:30 hrs.  
KCC Manston Road HWRC, Manston Road, Margate

TM/07/2545/RVAR	Approval of details pursuant to conditions 5, 12, 20, 30, 31, 32, 35, 38 and 44 of planning permission reference TM/07/2545 at Wrotham Quarry, (Addington Sandpit), Northern Extension, Trottiscliffe Road, Addington, West Malling
TM/08/3715/R8	Dust control scheme pursuant to condition (8) of planning permission TM/08/3715. Borough Green Quarry, Wrotham Road, Borough Green
TW/09/974	Variation of condition 5 of planning permission TW/93/1250 to be modified to accommodate changes to proposed hours of operation from April to September. Wednesday hours to be reduced to 19:30 hrs and Thursday permitted times increased from 18:00 hrs to 19:30 hrs. KCC Householder Waste Recycling Centre (HWRC), North Farm, Longfield Road, Tunbridge Wells

**E2 CONSULTATIONS ON APPLICATIONS SUBMITTED BY DISTRICT COUNCILS OR GOVERNMENT DEPARTMENTS DEALT WITH UNDER DELEGATED POWERS - MEMBERS' INFORMATION**

---

Since the last meeting of the Committee, I have considered the following applications and - decided not to submit any strategic planning objections:-

**Background Documents** - The deposited documents.

CA/09/968	CANTERBURY CITY COUNCIL – Conversion of store into residential dwelling with associated alterations – 2 bedrooms The Barn, St Peter's Place, Canterbury
MA/09/819	MAIDSTONE BOROUGH COUNCIL – Renewal of temporary permission MA/08/429 for a further 12 months (relating to hours of use & issue of amplified sound) approx m2. Millennium River Bank, Ampitheatre, Archbishops Palace, Mill Street, Maidstone
MA/09/997	MAIDSTONE BOROUGH COUNCIL – L/B – Amendments to MA/07/1365 (application consent for redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium café and external landscaping) being replacement of proposed glazed atrium café with new display gallery and replacement of proposed hard landscape to forecourt with soft landscape. Maidstone Corporation Museum, St Faiths Street, Maidstone

- MA/09/998 MAIDSTONE BOROUGH COUNCIL – Amendment to MA/07/1366 (redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium café and external landscaping) being replacement of proposed glazed atrium café with new display gallery and replacement of proposed hard landscape to forecourt with soft landscape.  
Maidstone Corporation Museum, St Faiths Street, Maidstone
- MA/09/1073 MAIDSTONE BOROUGH COUNCIL – Remove condition 4 of MA/08/1156 (Change of use of shop to youth café at ground floor level with offices above) to allow amplified music on site.  
34A High Street, Maidstone
- SH/09/480 SHEPWAY DISTRICT COUNCIL – erection of 1.2m high safety fence around base of Christchurch Tower.  
Christchurch Tower, Sandgate Road, Folkestone
- SH/09/599 SHEPWAY DISTRICT COUNCIL – Construction of a public pay and display car park.  
Land Adjoining Magistrates Court, Court Approach, Folkestone
- TH/09/392 THANET DISTRICT COUNCIL - Erection of a single storey building following demolition of existing.  
Foreness Water Ski Club, Princes Walk, Margate
- TH/09/465 THANET DISTRICT COUNCIL – Erection of 14 dwellings, erection of toilet building together with resurfacing of car park.  
Vere Road car park, Vere Road, Broadstairs

**E3 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS MEMBERS' INFORMATION**

---

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

**Background Documents** – The deposited documents.

- AS/06/2071/R2 Erection of a detached 3 storey block of 36 extra care apartments for the elderly - Amendments to footprint, floor plan, roof and elevations, including adjustment to position of stair block and relocation of plant rooms, pursuant to condition 2 of planning permission AS/06/2071  
Land at Hopkins Field, Eastern Avenue, Ashford
- AS/09/650 Provision of two mobile classroom units and associated works.  
The Wyvern School, Great Chart Bypass, Ashford

AS/09/651	Retention of a mobile classroom unit. Wittersham C of E Primary School, The Street, Wittersham, Tenterden
AS/09/669	Construction of a sixth form centre for recreation, study and social interaction. The Towers School, Faversham Road, Kennington, Ashford
CA/08/686/R2B	Amendments to raise height of parapet wall of function room pursuant to condition (2) of planning permission CA/08/686 St. Stephen's Junior School, Hales Drive, Canterbury
CA/08/1157/R4 & R5	Details of external lighting and a scheme of landscaping pursuant to conditions 4 & 5 of planning permission reference CA/08/1157 The Canterbury Campus, Knight Avenue, Canterbury
CA/09/777	Single storey extension to rear of school building. Wickhambreaux C E Primary School, The Street, Wickhambreaux, Canterbury
DA/07/1063/R	Amendments to the approved scheme, addition of two external stores and addition of roof plant of planning permission DA/07/1063 The Hub, The Bridge Development, Dartford
DA/08/1626/R4	Details of replacement gates to the entrance of the access road pursuant to Condition 4 of planning permission reference DA/08/1626 Wilmington Grammar School For Boys, Common Lane, Wilmington, Dartford
DA/09/508	Single storey extension to Wentworth School to form an ICT suite Wentworth Primary School, Wentworth Drive, Dartford
DA/09/674	First floor extension to provide teaching facilities over existing ground floor accommodation adjacent to the Mick Jagger Centre. Dartford Grammar School, West Hill, Dartford
DA/09/728	Removal of existing mobile classrooms and construction of single storey 4 no. classrooms, 6th form common room, food technology rooms, admin office and WC facilities Wilmington Grammar School for Boys, Common Lane, Dartford
DO/09/514	Metal staircase from existing English Block. Archers Court School, Melbourne Avenue, Dover
GR/09/469	Change of use from dental surgery to educational use. 20 The Hive, Northfleet, Gravesend



MA/09/854	Proposed extension incorporating toilets and disabled lift. Barming County Primary School, Belmont Close, Barming, Maidstone
MA/09/965	Extension to kitchen in old school building. Yalding St Peter & St Paul CEP School, Vicarage Road, Yalding, Maidstone
SE/07/2769/R	Amendments to the roof form and elevations of the approved classroom and administration block Crockenhill Primary School, The Green, Crockenhill, Swanley
SE/08/3189	Removal of 4 car park spaces to form new pedestrian access and the creation of 5 replacement car park spaces. St. Thomas' Catholic Primary School, South Park, Sevenoaks
SE/09/1287	Front extension including canopy and ramped access. Lady Boswells CE Primary School, Plymouth Drive, Sevenoaks
SE/09/1288	The installation of two temporary classrooms to provide temporary accommodation during the construction of a new classroom and administration block and refurbishment of the original school buildings. Crockenhill Primary School, The Green, Crockenhill, Swanley
SH/07/1496/R2	Amendments to entrance pathway and fencing pursuant to condition 2 of planning permission SH/07/1496 St Nicholas Primary School, Fairfield Road, New Romney, Romney Marsh
SH/07/1496/R6	Details of landscaping scheme pursuant to condition 6 of planning permission SH/07/1496 St Nicholas Primary School, Fairfield Road, New Romney, Romney Marsh
SH/09/573	Retention of a mobile classroom complex. Cheriton Primary School, Church Road, Folkestone
SH/09/574	Removal of flat-roofed extension on the front elevation and replacement with a small pitched roof extension. Replacement of first floor Edwardian window alterations with two timber windows. Installation of a climbing frame and soft play area in rear playground. St. Peter's CE Primary School, North Street, Folkestone
SH/09/3433	Application for a new build single storey extended schools facility. Lympne C of E Primary School, Octavian Drive, Lympne
SW/08/930/R2	Amendments to external elevations and roof line pursuant to condition (2) of planning permission SW/08/930. St. Georges C of E Middle School, Chequers Road, Minster-on-Sea, Sheerness

SW/08/971	Proposed works to the existing car park to increase and provide more spaces. Rose Street School, Rose Street, Sheerness
SW/09/388	Single storey extensions. Murston Junior School, Sunnybank, Murston, Sittingbourne
SW/09/510	Two 2-bay mobile classrooms. The Westlands School, Westlands Avenue, Sittingbourne
TH/09/185/R3	Details of external materials pursuant to condition (3) of planning permission TH/09/185. Christ Church C of E Junior School, London Road, Ramsgate
TH/09/445	Single storey extensions to existing staff room and admin areas, together with new entrance doors forming larger entrance. St. Peter in Thanet C of E School, Grange Road, Broadstairs
TH/09/459	Temporary single storey building 2 classrooms and 2 stores. Ellington School for Girls, Newlands Lane, Ramsgate
TM/06/3385/R7	Details of a scheme of landscaping and boundary treatment pursuant to condition (7) of planning permission TM/06/3385 Land at the former Millstream School, Mill Street, East Malling
TM/08/2857/R28	Erection of a new special school, parking, play area, landscaping and ancillary works - Assessment of ground conditions of existing playing fields and proposals for improvement pursuant to condition 28 of planning permission TM/08/2857 Wrotham School, Borough Green Road, Wrotham, Sevenoaks
TM/09/1195	Removal of existing 10 space asbestos and steel cycle shelter and replacement with a new 20 space cycle shelter. East Peckham Primary School, Pound Road, East Peckham
TM/09/1503	Change of use for caretakers house for educational purposes. Mereworth Community Primary School, The Street, Mereworth, Maidstone
TW/08/1278/R3	Details of all materials to be used externally. Cranbrook School, Waterloo Road, Cranbrook
TW/09/1494	Proposed plant room for the heating and maintaining of the existing outdoor swimming pool. Cranbrook School, Waterloo Road, Cranbrook
TW/09/1572	New front single storey extension. Langton Green Primary School, Lampington Row, Langton Green, Tunbridge Wells

- TW/09/1767 Temporary planning permission for a mobile classroom and minor remodelling works to ground floor including new bay window.  
Broomhill Bank School, Broomhill Road, Tunbridge Wells
- TW/09/1825 To construct a new hard surface play ground incorporating a full size tennis court on the south side of the existing school buildings. The tennis court will be enclosed by a 1100mm high round top timber picket fence.  
St James' CE Infant School, Sandrock Road, Tunbridge Wells

**E4 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS**

---

**Background Documents –**

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*
- *DETR Circular 02/99 – Environmental Impact Assessment.*

- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-

DC29/09/SH/0001 – Household Waste Recycling Centre at Mountfield Road/Collins Road, New Romney

- (b) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does constitute EIA development and the development proposal does need to be accompanied by an Environmental Statement:-

DC29/09/DA/0003 – Re-restoration of Stone Pits 9 and 9a, Dartford

**E5 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS**

---

- (b) Since the last meeting of the Committee the following scoping opinions have been adopted under delegated powers.

### **Background Documents** -

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*
- *DETR Circular 02/99 - Environmental Impact Assessment.*

DC29/09/SW/0003 – Proposed sustainable energy plant at Kemsley Paper Mill, Kemsley, Sittingbourne