

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

Cable stay foot/cycle bridge, east of Junction 9 of the M20 Motorway, Ashford – AS/10/20

A report by Head of Planning Applications Group to Planning Applications Committee on 13 April 2010

Application by Kent Highway Services for a cable stay footbridge over the M20 Motorway to the east of Junction 9 between Eureka Leisure Park and Warren Retail Park, Ashford – AS/10/20

Recommendation: Subject to the views of Ashford Borough Council if received by the Committee Meeting, permission be granted subject to conditions

Local Members: Mrs E Tweed

Classification: Unrestricted

Site

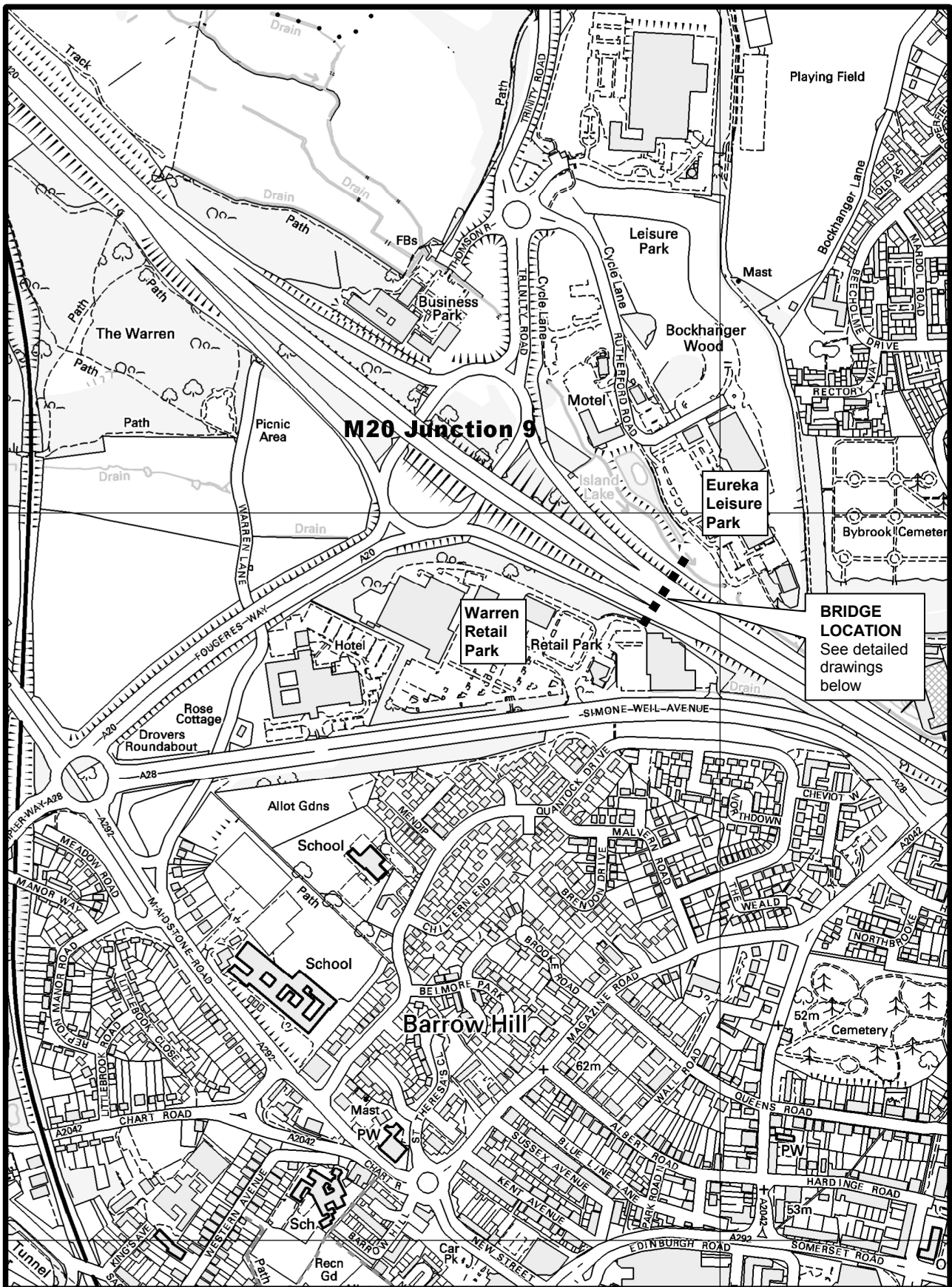
1. The application site, an area of 2.04 hectares, encompasses part of Warren Retail Park, Eureka Leisure Park and a section of the M20 northwest of Ashford town centre. Warren Retail Park, which includes a Sainsbury's superstore is located to the south and Eureka Leisure Park to the north of the M20 which rises towards the northwest and is approximately 60m wide at the proposed bridge crossing. At this point the M20 is lower than the general level of Warren Retail Park but higher than Eureka Leisure Park. Warren Retail Park is bounded on its south side by Simone Weil Avenue a dual carriageway with residential properties on the opposite side. A site location plan is attached.
2. Both Warren Retail Park and Eureka Leisure Park have been developed on relatively flat landforms, with a mixture of large scale retail outlets and commercial units of various styles and forms situated around car parks and linked by a network of access roads. Areas of existing scrub and trees are scattered throughout the area together with some landscaped planting. Large mature trees and embankments located along the edge of the M20 create a sense of enclosure to this road corridor. Between the M20 and Eureka Leisure Park the topography drops into a low level area characterised by dense scrub, a watercourse (the Bockhanger Dyke) and a pond to the north. Land north of the M20 at Bockhanger which includes Eureka Leisure Park is identified in the Ashford Borough Local Plan for business/employment uses to complement or as an extension to the Science and Business Park.
3. Existing cycle routes run along Simone Weil Avenue and through Eureka Leisure Park. These cycle routes intersect Canterbury Road, which leads into the town centre to the southeast of Junction 9.

Background and Proposal

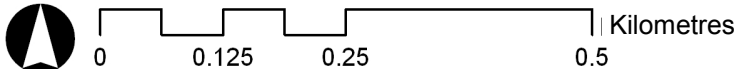
4. The applicant sets this proposal in the context of Ashford being one of the Government's designated growth areas in the Adopted Regional Spatial Strategy for

Item D1

Cable stay foot/cycle bridge, east of Junction 9 of the M20 Motorway, Ashford – AS/10/20

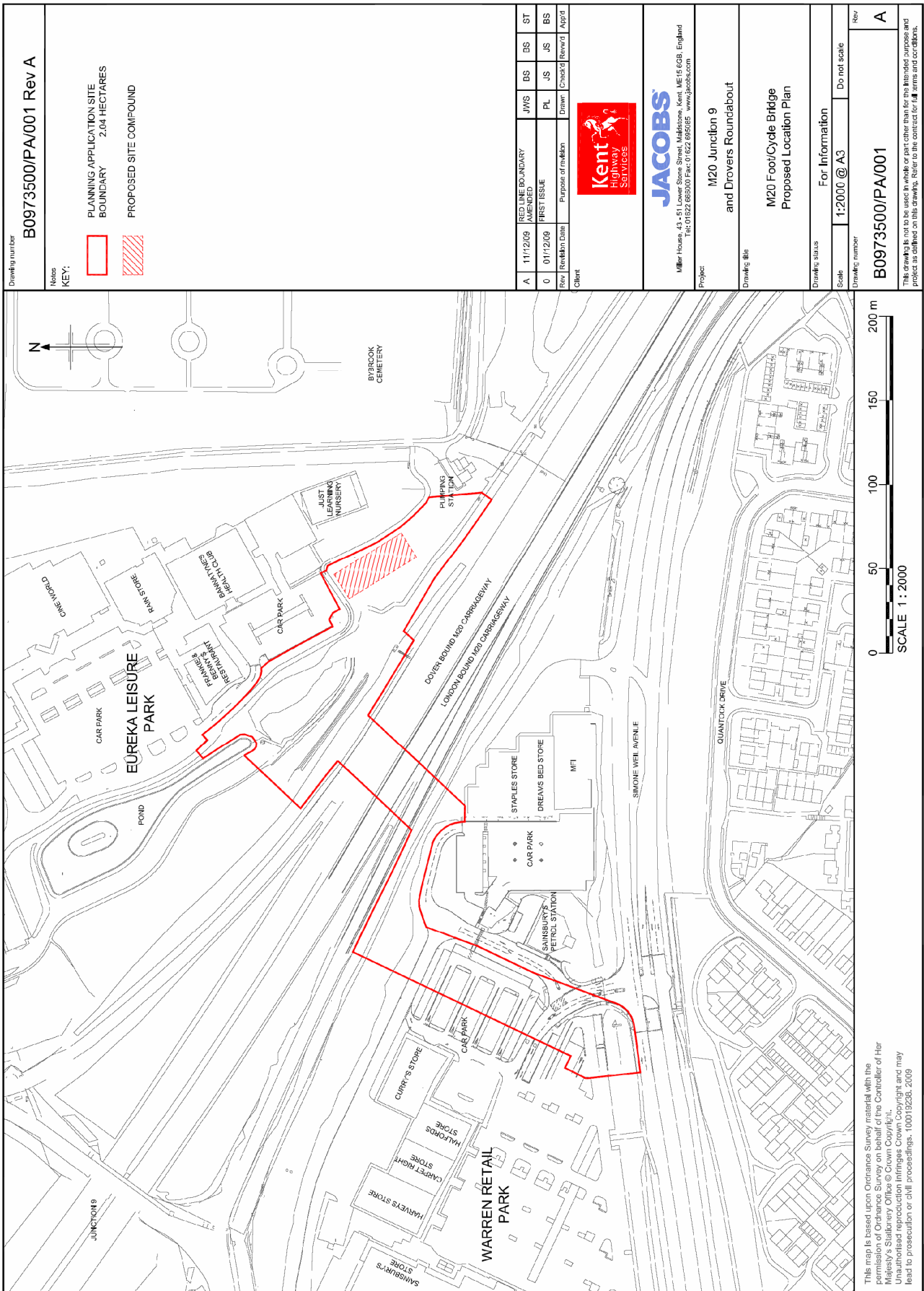


BRIDGE LOCATION
See detailed drawings below



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Cable stay foot/cycle bridge, east of Junction 9 of the M20 Motorway, Ashford – AS/10/20



Drawing number
B0973500/PA/001 Rev A

Notes
KEY:
 PLANNING APPLICATION SITE BOUNDARY 2.04 HECTARES
 PROPOSED SITE COMPOUND

Rev	Revision Date	Purpose of revision	Drawn	Checked/Reviewed	App'd
A	11/12/09	RED LINE BOUNDARY AMENDED	JWS	BS	BS
0	01/12/09	FIRST ISSUE	PL	JS	BS

Client

JACOBS
 Miller House, 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

Project
M20 Junction 9 and Drivers Roundabout

Drawing title
M20 Foot/Cycle Bridge Proposed Location Plan

Drawing status
For Information

Scale
1:2000 @ A3 Do not scale

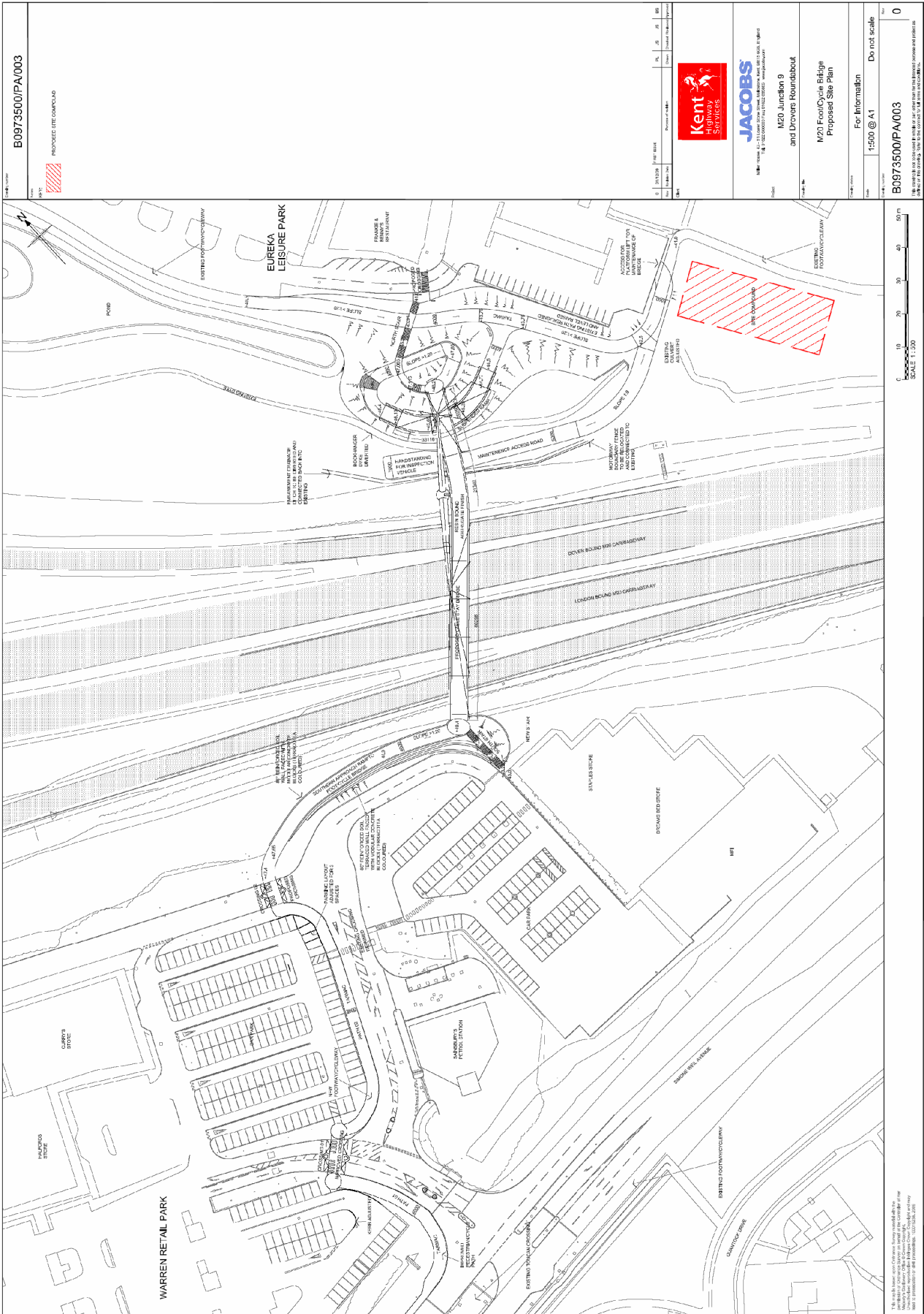
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Cable stay foot/cycle bridge, east of Junction 9 of the M20 Motorway, Ashford – AS/10/20



B0973500/PA/003
PROPOSED SITE CONSTRUCTION

Author	Checked	Drawn	Date

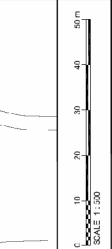


JACOBS
M20 Junction 9
and Drivers Roundabout

M20 Foot/Cycle Bridge
Proposed Site Plan

For Information
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Cable stay foot/cycle bridge, east of Junction 9 of the M20 Motorway, Ashford – AS/10/20

South East England – The South East Plan 2009. The following background is therefore provided to explain the need for and benefits of the proposed foot/cycle bridge:

The transport modelling work that supports Ashford's master plan for growth, identifies the need for a number of road improvements to be carried out by 2016, in order to avoid the growth plan and the housing trajectory (*forecast for delivery of housing targets*) set out in the Local Development Framework (LDF) being constrained by the lack of road capacity. All of these road improvements support the proposed SMARTLINK (bus rapid transit system) and proposed park and ride provision as well as providing strategic walking and cycling route connections to link new and existing development with the town centre.

The first need is for improvements to the capacity of M20 junction 9 and Drivers roundabout. As part of the M20 Junction 9 improvements the existing pedestrian/cycle facilities are being removed.

The proposed foot/cycle bridge is required to provide alternative pedestrian/cycle facilities and create a link between new developments to the north of the M20 including Eureka Business Park, and existing retail facilities in the town centre.

The proposed bridge would provide a new user friendly, safe and visually interesting pedestrian and cycle route over the M20 between Warren Retail Park and Eureka Leisure Park, creating a north/south community linkage integrated with the existing infrastructure. For drivers on the M20 the bridge would act as a landmark reinforcing an awareness of Ashford's presence within the national trunk road system.

The new pedestrian and cycle link provided by the bridge would help support and sustain the retail and leisure businesses locally by providing greater connectivity across the M20. This in turn could act as a catalyst to further development.

5. The proposed bridge would be a 4 metre wide cable stay structure with a span of 69 metres across the M20, at a height of 5.7 metres above the motorway, to the east of Junction 9 between The Warren Retail Park and Eureka Leisure Park. There would be new shared pedestrian/cycle facilities created through the Warren Retail Park to link with existing facilities on Simone Weil Avenue on the south side, and on the north side the bridge would tie directly in with an existing pedestrian/cycle route that runs through the Eureka Leisure Park. The landing on the north side is proposed to be on an earth mound so that it fits more sensitively with the surrounding environment, but would require a short realignment of the existing Bockhanger Dyke. The application also includes proposals for landscaping, an area to provide for a shallow excavation for an identified loss of flood storage capacity which would also provide for some environmental enhancement to the project, and an area of adjoining land to be used for a construction compound.
6. The design of the proposed bridge and approaches consist of the following elements:

- i. Southern Approach

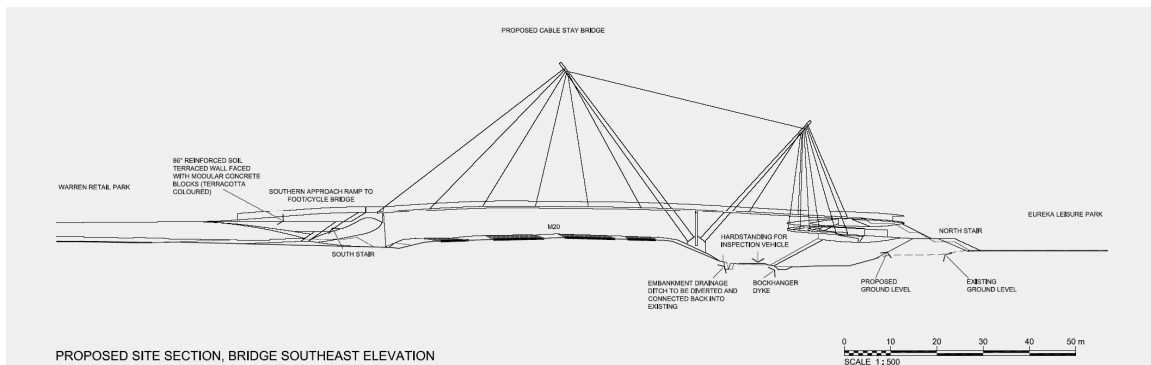
A new dedicated pedestrian/cycle route from Simone Weil Avenue to link with the new bridge through the Warren Retail Park. The extent and visual impact of approach ramping is minimised by exploiting the natural elevation of the topography and integrating the ramp into the landscape. Any perception of intimidating enclosure is reduced by opening views and vistas of the forthcoming crossing. The south face of the ramp would be constructed using terracotta coloured concrete block retaining walls in

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combination with soft landscape planting to ensure the earthworks for the ramp embankment are limited in width. The south abutment north facing wall is proposed to be finished in a terracotta concrete block and red brick.

ii. Bridge Structure

A double mast, two span structure with an additional lower level subsidiary span, allowing the construction of a slender deck thus reducing the elevation of the bridge and unnecessary approach ramp lengths. The plan shape responds to the desire lines of the crossing and contextual constraints.



Proposed bridge crossing site section above and visualisation below

The form of the inclined, tapered steel support masts which relates to the optimum suspension arrangement would create a unique and dynamic visual composition as seen from both the M20 and the Retail Parks. The masts are inclined from a support on the North side of the motorway slip road. The main mast is cable stayed back to the second mast which supports a span continuing onto the North mound. The second mast would also support a section of the ramp which passes under the footbridge and is of similar construction to the main deck.

The applicant states that by using a cable stayed bridge form of structure, a relatively slim deck depth can be achieved and a visual impression of lightness created. The masts would be painted white and the rods supporting the deck formed from stainless steel. The deck would be constructed from a steel plate clad with a durable, light coloured, anti-slip material and the parapets would be constructed using stainless steel components.

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ii Northern Approach

A landscaped mound would be formed to create an interesting and practical feature within the Leisure Park whilst providing the necessary ramping and integrated stairways. The mound pathways would enjoy a series of changing view and vantage points, landscaped experiences and engage with the existing watercourse, pond and retained natural environment. The mass, form and sculptured nature of the mound has been resolved to reduce as far as possible the physical impact on the adjacent dyke. It is proposed that retaining walls on the mound would be reinforced soil walls with beige coloured concrete block facings and red brick up stands in appropriate locations.

7. The applicant has explained that the objectives of the lighting strategy are to increase community safety and create a feeling of wellbeing, minimize energy consumption and reduce the opportunity for vandalism. Additionally the lighting design endeavours to eliminate light pollution, assist with way finding and orientation of users and complement and enhance the bridge structure and landscape design. Therefore the proposed lighting on the footbridge would be sufficient to make users feel safe after dark and thereby encourage its use, whilst minimizing the impact of the lighting on the traffic on the motorway below. To achieve that, it is proposed to light the bridge deck by using LED light fittings mounted within the handrail and projecting down towards the footway. This has the advantage of being substantially obscured from the view of motorists by the structure itself and from the maintenance point of view the LED's should last for at least 12 years before replacement. LED's can be aimed extremely accurately thereby creating no spill light outside of the structure and no upward light into the night sky. In order to enhance the after dark appearance of the structure it is proposed to provide low power LED coloured lights mounted close to the cables and mast supports. These would be aimed at glancing angles to the supports to highlight the design of the structure after dark.
8. The application is accompanied by a Design and Access Statement, Planning Statement, Statement of Community Involvement, Ecological Scoping Survey, Reptile Report, Bat Report, White-clawed Crayfish and Water Vole Report, Great Crested Newt Report, River Corridor Survey, Aquatic Ecology Report, Preliminary Ground Investigation Report, Flood Risk Assessment Report, Pre Development Tree Survey and Site Waste Management Plan.

Planning Policy

9. The national planning policy guidance that is relevant to this application includes:

Planning Policy Statement 1 - Delivering Sustainable Development. This sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. Paragraph 27(v), states that planning authorities should aim to: "Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car".

Planning Policy Guidance 13 – Transport. This sets out how the Government seeks to integrate planning and transport through the planning system. The central themes of this guidance include the promotion of more sustainable transport choices for both people and for moving freight, accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and reducing the need to travel, especially by car.

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Planning Policy Statement 25 – Development and Flood Risk. This sets out the Government's aims and approach to ensure that flood risk is taken into account at all stages of the planning process to avoid inappropriate development in areas at risk from flooding, and to direct development away from areas at highest risk.

10. The South East Plan:

Identifies Ashford as one of 22 Regional hubs, where amongst other objectives, priority will be given to measures that increase the level of accessibility by public transport, walking and cycling to support and develop the role of regional hubs.

- | | |
|-------------|---|
| Policy CC1 | Seeks to achieve and maintain sustainable development in the region. |
| Policy CC6 | Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment. |
| Policy CC7 | States 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 NRM4 | Confirms that the sequential approach to development in flood risk areas set out in PPS25 will be followed. |
| Policy T2 | States that development plans should include policies that aim to achieve a rebalancing of the transport system in favour of sustainable modes by an integrated package of measures, including improvements to the extent and quality of pedestrian and cycle routes. |
| Policy S1 | Supports measures for developing and shaping healthy sustainable communities, including healthier forms of transport by the incorporation of cycle lanes and safe footpaths in planned developments. |

11. The Ashford Borough Local Development Framework Core Strategy 2008:

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| Policy CS1 | Sustainable developments and high quality design are at the centre of the approach to deciding planning applications, the key objectives of which include a wider choice of easy to use forms of sustainable transport to serve developments. |
| Policy CS9 | Development proposals must be of 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 CS11 | Seeks protection of biodiversity and provides for maintenance, enhancement, restoration and expansion through creation or restoration of semi-natural habitats and ecological networks to sustain wildlife. |
| Policy CS15 | Promotes public transport and other non-car based modes of travel including measures to encourage cycling. Amongst other matters also seeks the earliest possible implementation of highway and other schemes that would remove serious impediments to growth and/or secure important environmental benefits. |
| Policy CS19 | Sets out the approach to all development coming forward within Flood Zone 3. |
| Policy CS20 | All developments should include appropriate sustainable drainage systems for the disposal of surface water. |

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12. The adopted **Ashford Borough Local Plan**:

- Policy S26 Land north of the M20 at Bockhanger is proposed for business/employment uses to complement or as an extension to the Science and Business Park. Amongst other criteria proposals should:
- protect existing important habitats (including the trees and watercourses) wherever practical and provide new habitat links,
 - provide a development layout which can be served conveniently by public transport and associated facilities along with a network of pedestrian and cycle routes which link into the wider network and important destinations outside the site; and
 - built development should be set back from Bockhanger Dyke to keep it out of land which is likely to flood.

Consultations13. **Ashford Borough Council** views are awaited and will be reported verbally at the committee meeting.

Highways Agency on behalf of the Secretary of State for Transport under the Town and Country Planning (General Development Procedure) Order 1995 has directed that conditions be imposed, to ensure that the M20 motorway continues to be an effective part of the national system of routes for through traffic and to satisfy the reasonable requirement of road safety, covering the following:

- the development to be built in accordance with the approved plans;
- no works to commence until a construction method is submitted and approved, and construction to be carried out in accordance with the method statement as approved;
- no works to commence, other than site clearance, until structural and earthworks technical approvals, and approvals for all relevant departures from the standards within the design Manual for Roads and Bridges have been approved;
- no works to commence, other than site clearance, until a method statement for maintenance of the works has been submitted and approved; and
- no works to commence, other than site clearance, until the applicant has demonstrated that safe and satisfactory access can be provided for the purposes of maintaining the development in accordance with the method statement for maintenance of the works.

Environment Agency has commented on diversion of the Bockhanger Dyke, the proposals for flood storage compensation, the submitted land contamination report, drainage, piling foundations and maintaining access along the watercourse for water voles. It raises no objection to the application subject to conditions covering approval of a method for piling foundations, a water vole survey, a water vole protection and mitigation plan, a scheme for compensatory flood storage, and contamination. It also provides advice relating to the need for licences in respect of protected species and fish, and fuel, oil and chemical storage.

South East England Development Agency unreservedly supports the application

South East England Partnership Board (officers on behalf of the board) have reviewed the application against the final South East Plan (May 2009) and on the basis that the principal of the proposed development has been established through the Ashford Core Strategy (2008) process have no substantive comments to make.

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The Divisional Transportation Manager raises no objection.

County Landscape Adviser (Jacobs) comments as follows:

Visual Impact

The visual impact of the foot/cycle bridge is likely to be relatively local in effect. Key visual receptors would be generally restricted to users of the leisure and retail parks either side of the M20, and vehicle travellers moving along the motorway and crossing the M20 via the A28 Canterbury Road to the south east. Views from further afield such as the surrounding housing to the south and east would be generally restricted by buildings within the leisure and retail parks and the intervening framework of vegetation which is well established along road corridors and around the leisure and retail parks. Some slight views of the upper portions of the bridge may be possible but would not be intrusive in the suburban context of the view.

Distant views from the Kent Downs Area of Outstanding Natural Beauty are unlikely to be significantly adversely affected. Only the elevated scarp face of the Downs, some 7km distant, would be likely to have views of the structure. At this distance it would be a very small element within a broad panorama and seen in the context of the urban backdrop of Ashford and the heavily trafficked M20. Lighting on the bridge would not cause any significant adverse night time effects because this area of townscape is already well lit.

Townscape Impacts

The proposed M20 foot/cycle bridge would add slightly to the visual complexity of the local townscape, providing another feature in a built environment which currently hosts a variety of development styles. However, it is a strong and interesting 'landmark' design which would be an appropriate addition to the townscape and would give a suitable focus to the area.

Loss of vegetation

There would inevitably be some loss of vegetation to accommodate the bridge and access steps and ramps. However the vegetation to be lost is mostly relatively immature and no specimen mature trees would be lost. Appropriate planting to reinstate the character of the landscape is shown on the planting proposals. However the construction of the new cycleway to the north west of the Sainsbury's Petrol Station would lead to the loss of a strip of shrub planting and several semi mature trees which usefully break up the car parking and road network. Planting alongside the cycleway would also make it more attractive as a route and I recommend that the applicant looks at the opportunities for reinstating this planting (e.g. by remodelling the existing car park or road layout) to provide suitable landscaping to soften the environment.

Detail Design Issues

I have some concerns over the materials to be used for the retaining walls and parapets, especially the combination of terracotta and beige concrete block work with red brick on the proposed mound and ramps (see Dwg B0973500/PA/005). Further details of the actual bricks and blocks are required and elevations showing the detailing of materials should also be submitted. I also recommend that the handrails, balustrade and lighting on the ramps should be of a related design/materials to that used for the main span of the bridge to give continuity and strength of design overall.

County Archaeologist has requested a condition be imposed requiring the implementation of a programme of archaeological work to ensure that features of archaeological interest are properly examined and recorded.

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Biodiversity Project Officer notes that there are still some ecological aspects of the scheme's impacts which require further survey work and/or mitigation strategies to be agreed, which includes:

- Reptile mitigation strategy;
- Water vole survey and mitigation strategy;
- Badger survey and mitigation strategy if appropriate.

In addition, seeks clarification on the following points:

- Any impact of change in scheme design on trees with bat roost potential;
- Enhancement measures to be undertaken.

Local Member

14. The local County Member, Mrs E Tweed, was notified of the application on the 13 January 2010.

Publicity

15. The application was publicised by an advertisement in a local newspaper and the posting of site notices and the individual notification of 35 neighbouring commercial and residential properties.

Representations

16. No representations to the application have been received as a result of publicity. However, one letter of representation was received in response to the applicant's notification of landowners. Agents writing on behalf of the owners of units 1-4 on the Warren Retail Park have commented that whilst their client is generally supportive of future transport initiatives in Ashford, they are concerned that the proposed foot/cycle bridge could lead to increased anti-social behaviour at the Warren Retail Park, particularly outside of opening hours. In addition they are concerned that that it may lead to a 'rat run' for cyclists, resulting in conflicts between road users (both customers and service vehicles) and users of the new bridge. They therefore request that any measures to reduce these potential conflicts are fully investigated and assessed before the application is determined.

DiscussionIntroduction

17. This application is being reported because it relates to development that would be carried out by Kent Highway Services whose Director reports to the Managing Director of Environment, Highways and Waste. In the circumstances, determination of the application is not delegated to officers and should be determined by the Planning Applications Committee.
18. The proposal arises from the requirements to improve the capacity of M20 junction 9 and Drovers roundabout to cater for planned future development at Ashford. As a part of these works the new foot/cycle bridge is needed to mitigate the potential severance impacts of the scheme at M20 Junction 9 and the related provision of an additional carriageway lane on the A20 Fougères Way southbound to Drovers Roundabout, which would necessitate the removal of the existing footway/cycleway through the Junction 9 roundabout. The applicant states that all of these improvements support the proposed

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SMARTLINK (bus rapid transit system) and proposed park and ride provision as well as providing a strategic walking and cycling route connection to link new and existing development within the town centre.

19. It is proposed that the bridge would be provided before the Junction 9 improvement scheme commences construction. The applicant recognises that for some journeys severance would still increase, because of a need to make a more circuitous journey; however for other journeys the distance travelled would be reduced significantly. In addition, the applicant considers that the perception of road safety should be enhanced because there would no longer be a need to cross the fast moving lanes of traffic associated with the slip roads at M20 Junction 9. The applicant has stated that the main alternative solution of a subway is not economically viable and would not be a pleasant environment for pedestrians or cyclists.
20. I accept the need for the replacement cycle and pedestrian routes across the M20 arising from the planned improvements to junction capacity and related works. I also consider that the bridge is a preferable option to the alternative of a subway and to the existing cycle/pedestrian facilities. In terms of its location, although I accept (as acknowledged by the applicant) that some cyclists and pedestrians could be disadvantaged compared with the current route, overall I consider that it would provide an acceptable crossing point over the motorway and improve opportunities for cycling and walking between the existing and proposed developments north of the M20 and Ashford Town Centre. Therefore, in my view, the proposal would accord with the aims and objectives of national and regional policies for an integrated approach to sustainable transport, and more particularly those set out in the Development Plan relating to Ashford's future growth, the need for certain transport infrastructure improvements, and provision for other modes of travel, including attractive safe facilities for cycling and walking as an alternative to the private car for local journeys. The provision of improved cycle/pedestrian links is also supported by the site specific policy outlined in paragraph 12, above relating to land, which includes part of the application site, being identified for business and employment uses. Issues relating to the Bockhanger Dyke are discussed below, and as the application site is on the margins of the land identified, I do not consider that it otherwise conflicts with that policy. Taking into account the above factors, I therefore consider that in principle the proposal should be supported. Nevertheless, there are a number of other matters arising from the proposal that need to be considered in determining the application. The main issues are therefore discussed below in the context of the planning policy considerations outlined in paragraphs 9 – 12 above and the responses to consultation summarised in paragraph 13 above.

Landscape and visual impact

21. Any structure of the nature proposed would inevitably result in a noticeable change in the landscape/townscape, particularly to local views which would also be affected by the loss of trees/vegetation on the approaches either side of the bridge. It is nevertheless, the applicant's intention that the foot/cycle bridge does make a significant visual contribution as a gateway landmark for Ashford.
22. The County Landscape Adviser's assessment of the proposed development in paragraph 13 above will be noted. In summary, he considers that adverse visual impacts are local in effect and would not be significant from adjoining housing or the Kent Downs Area of Outstanding Natural Beauty. Overall he considers that the 'landmark' bridge would contribute to the local townscape and that the landscape proposals would generally replace lost vegetation. He has however suggested the

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redesign of some sections of foot/cycleway through the Warren Retail Park to incorporate a suitable landscaping strip to replace that which would be lost. In response, the applicant has stated that the layout of this part of the route has been constrained by requirements of the landowners to maintain the existing parking provision, so it has not been possible to provide replacement planting for this area. Although it would be preferable for replacement planting to be accommodated, I do not consider it to be overriding given that the impact of not doing so would be limited to within the retail park. With regard to the comments about the materials to be used and detailing, some clarification has been provided about the choice of blocks and bricks and confirmation provided that that the light columns, and handrails throughout the ramp areas are to be finished in stainless steel to match the main bridge materials. If planning permission is granted these detailed matters could be covered by appropriate conditions.

23. In my view, the design of the bridge and its approaches together with the proposed landscaping are appropriate and would accord with the objectives of the Development Plan Policies which require development to be of a high quality design, have regard to context and to respect its setting.

Lighting

24. Lighting would be required for the convenience and safety of pedestrians and cyclists, and although full details are not provided at this stage the general approach set out in the application would be to direct the light to where it is needed and to ensure light pollution can be minimised. It is also proposed to use lighting to emphasise the structure of the bridge after dark. In principle, whilst I would not raise objection to the proposed lighting, if permission is granted it would be appropriate to reserve details by condition so that the type and position of the lighting can be controlled.

Flood risk and drainage issues

25. The proposed foot/cycle bridge would be located in the flood plain of the Bockhanger Dyke in an area assumed to be at high risk of fluvial flooding (Flood Zone 3) but is considered to be essential transport infrastructure. The flood risk assessment demonstrates that both the Sequential and Exception Tests meet the requirements of PPS25. The flood risk assessment also looks at the potential flood risks to the proposed development and surroundings and proposes mitigation measures.
26. The results of hydraulic modelling and assessment indicate that the proposed foot/cycle bridge landing area is in Flood Zone 3 and therefore prone to inundation during a 1 in 100-year flood event. The maximum flood depth is not expected to cause any problems for the structure itself but there would be a small loss of flood plain storage resulting in a potential small impact on downstream areas that requires mitigation. It is proposed that an area of compensation storage would be provided downstream of the bridge within the application site. It would provide both a storage volume equal to that lost to the footprint of the bridge landing area and an environmental enhancement to the project.
27. There would also be a need to realign a section of the dyke to accommodate the north eastern landing area of the proposed foot/cycle bridge within the available space. The replacement dyke would be designed with features to maintain and enhance the existing biodiversity interest.
28. The Environment Agency has not raised an objection to the proposal subject to conditions covering amongst other matters the approval of a scheme for compensatory

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flood storage. It also notes that a Land Drainage Consent Application would need to be submitted to the Stour Internal Drainage Board for diversion work to the Bockhanger Dyke. In the light of the Environment Agency's views and subject to the relevant conditions and informatives, I do not consider that there are any grounds for an objection on the basis of flood risk, loss of flood storage capacity or to the diversion of the dyke.

Ecology

29. There are still some ecological aspects of the scheme's impacts which require further survey work and/or mitigation strategies to be agreed as referred to in paragraph 13 above. I am expecting further information from the applicant in response to the comments made by the Biodiversity Project Officer. I consider that these matters can be addressed or otherwise covered by appropriate conditions, including those requested by the Environment Agency in respect of Water Voles. Similarly any reasonable requirements for biodiversity enhancement could also be covered by condition.

Archaeology

30. The County Archaeologist has asked that if planning permission is granted that a condition be imposed securing the implementation of a programme of archaeological work because of the potential for ground works affecting the Alluvial deposits. Otherwise there are no archaeology issues at this stage.

Construction

31. The Highways Agency on behalf of the Secretary of Transport under the Town and Country Planning (General Development Procedure) Order 1995 has directed that a number of conditions be imposed, to ensure that the M20 motorway continues to be an effective part of the national system of routes for through traffic and to satisfy the reasonable requirement of road safety. The detailed wording of the conditions may need to be discussed further with the Highways Agency as a result of some concerns that the applicant has about the discharge of these conditions holding up the start of works that do not affect the motorway, for example, within Eureka Business Park.
32. As with any construction activity there would be some disruption and potentially noisy activity. The main bridge construction works would be some distance away from the nearest residential properties which are to the south of the Warren Retail Park. However I consider that if planning permission is granted it would still be appropriate to impose a condition restricting hours of construction. I would suggest in this particular case that it would be reasonable for these to be between the hours of 0700 and 1900 Monday to Friday and between the hours of 0800 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays, unless otherwise approved by the County Planning Authority. In addition, conditions should be imposed requiring measures to be implemented to control dust and to prevent mud and debris being taken onto the public highway, details of the site compound and temporary accommodation for contractors, and provision being made for the parking of contractor's vehicles.

Issues raised by a third party

33. In response to the points raised by an agent on behalf of the landowner referred to in paragraph 16 above, the applicant has provided comments to clarify matters, which have also been forwarded to the agent, as follows:

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“It is proposed to provide new lighting along the proposed route, along with appropriate route signing for pedestrians and cyclists. We have tried where possible to minimise any potential conflicts between vehicles using the site, and pedestrians and cyclists using the new route through the retail park.

The route would utilise the existing crossing facility on the entrance to the main car park, although the existing refuge island would be enlarged to afford better protection for pedestrians and cyclists crossing the road at this point.

The other road crossing is across the rear delivery access road, where it has not been possible to provide a refuge island due to insufficient width, but at this location vehicle speeds are expected to be very slow adjacent to the mini roundabout junction, and all round visibility for motorists, pedestrians and cyclists is good.

Bollards are also proposed at the end of the parking bays adjacent to the footway/cycleway, to avoid conflict with vehicles using those bays.

Ant-social behaviour is always a concern with these types of projects, and whilst it can never be ruled out, it is hoped that with the improvements being made, particularly to the lighting along the route, together with the existing security measures that are in place on both sides of the bridge, the risk is reduced.

It should also be noted that facilities are open late into the night on the Eureka Leisure Park, and on the Warren Retail Park, the Sainsburys store is open until midnight weekdays and 10pm Saturdays, with the petrol filling station open 24 hours a day apart from Sundays when it closes at midnight.”

Conclusion

34. This proposal arises within the wider context of planned growth at Ashford, and an integrated approach to providing necessary transport infrastructure. The proposed bridge is needed to provide a safe crossing point across the M20 motorway to allow junction/road improvements that necessitate removal of the existing cycle/pedestrian routes through the junction. It would also result in much improved cycle and pedestrian linkages between existing and proposed development to the north and south of the motorway. As such, it should assist in the promotion of more sustainable modes of transport and bring environmental benefits. In addition, I consider that the bridge’s ‘landmark’ design would enhance the local townscape and provide a focal point for the crossing. I am of the opinion that the proposed development would be in accordance with the general aims and objectives of the relevant Development Plan Policies and therefore subject to appropriate conditions and to the views of Ashford Borough Council recommend that planning permission be granted.

Recommendation

35. SUBJECT TO the views of Ashford Borough Council if received by the Committee Meeting, I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- the standard time limit,
 - the development to be carried out in accordance with the permitted details,
 - details of all materials, finishes, signage and lighting,

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- submission for approval of details, implementation and subsequent maintenance of landscaping proposals,
- no works to commence until a construction method is submitted and approved, and thereafter construction to be carried out in accordance with the method statement as approved,
- no works to commence, other than site clearance, until structural and earthworks technical approvals, and approvals for all relevant departures from the standards within the design Manual for Roads and Bridges have been approved,
- no works to commence, other than site clearance, until a method statement for maintenance of the works has been submitted and approved,
- no works to commence, other than site clearance, until the applicant has demonstrated that safe and satisfactory access can be provided for the purposes of maintaining the development in accordance with the method statement for maintenance of the works,
- submission for approval of a method for piling foundations,
- submission for approval of a scheme for compensatory flood storage,
- drainage,
- ground contamination,
- a water vole survey, protection and mitigation plan,
- other outstanding protected species surveys, mitigation, monitoring and management, as appropriate,
- biodiversity enhancement, monitoring and management, as appropriate,
- submission for approval of specifications and implementation of a programme of archaeological work,
- measures to be implemented to control dust and to prevent mud and debris being taken onto the public highway,
- details of the site compound and temporary accommodation for contractors, and
- details of parking for contractor's vehicles.

36. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informative:

- Account should be taken of Environment Agency's advice relating to diversion of Bockhanger Dyke, the need for licences in respect of protected species and fish, and fuel, oil and chemical storage.

Case officer - Paul Hopkins	01622 221051
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Background documents - See section heading
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