

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

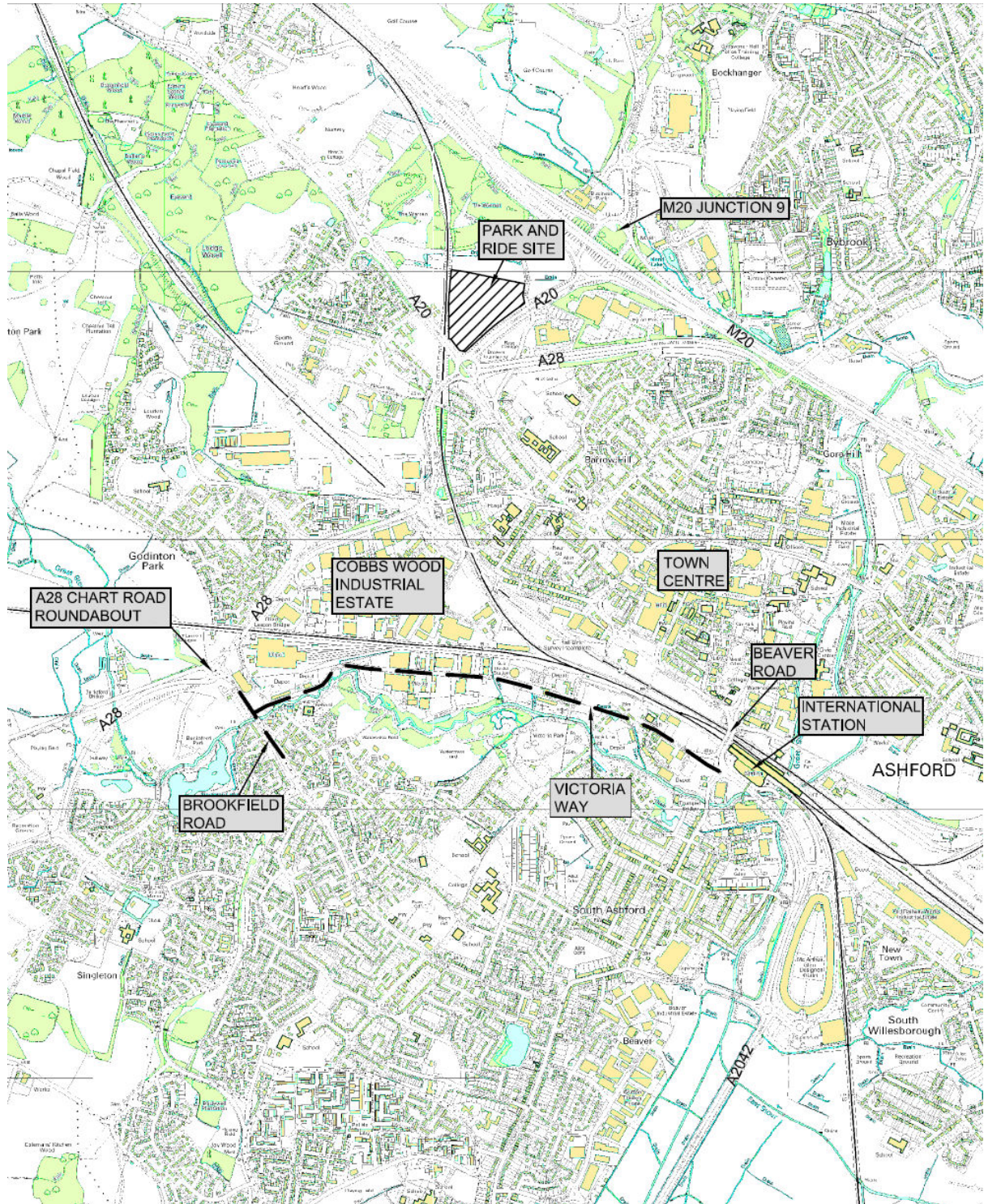
5. The current proposal is part of a wider one for a new east-west route between the A2042 Beaver Road/Romney Marsh Road and B2229 Brookfield Road/A28 Chart Road to be known as Victoria Way. That scheme is intended to act as a catalyst for the expansion and regeneration of the Town Centre necessitated 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 m² 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.

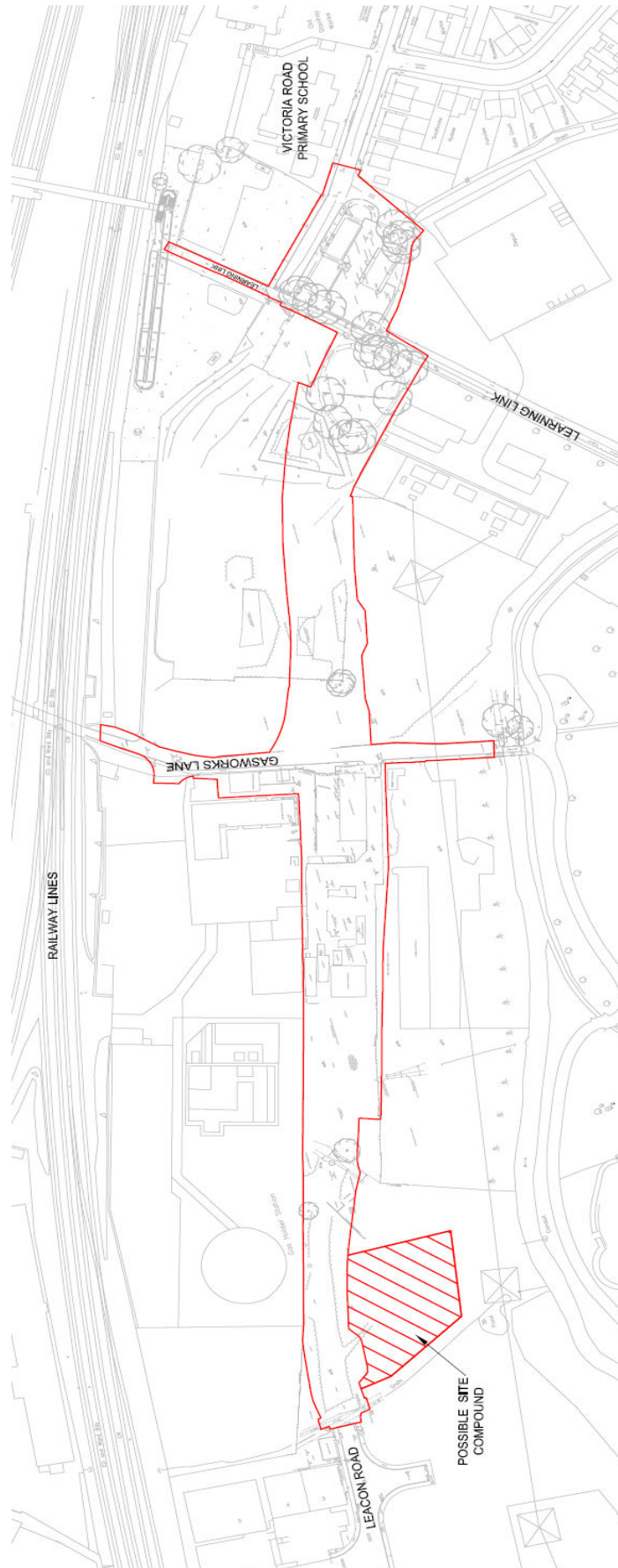
Victoria Way Initial Phase, Ashford – AS/09/460

Site plan



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

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 3rd 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

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

- 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:

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

(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

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

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 24th April 2009. Following the elections on 4 June 2009, Mr J. Wedgbury was notified of the application on the 3rd 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 badger 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 out 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
