



Ms Sue Head  
Ashford Borough Council  
Civic Centre  
Tannery Lane  
Ashford  
Kent  
TN23 1PL

**BY EMAIL ONLY**

**Growth, Environment  
& Transport**

Room 1.62  
Sessions House  
Maidstone  
Kent  
ME14 1XQ

Phone: 03000 415981  
Ask for: Barbara Cooper  
Email: [Barbara.Cooper@kent.gov.uk](mailto:Barbara.Cooper@kent.gov.uk)

15 February 2019

Dear Sue

**Re: Land at Court Lodge, Pound Lane, Kingsnorth (18/01822/AS)**

Thank you for consulting Kent County Council (KCC) on the above outline application for the construction of up to 1,000 new homes and a local centre comprising retail uses, flexible office space and community facilities; including a primary school, a combined community hall and a site management suite. The application also includes a new means of vehicular accesses onto Pound Lane, Long Length, Magpie Hall Road, new pedestrian and cycle routes and green infrastructure.

KCC has reviewed the submitted documentation and would like to raise the following comments.

**Highways and Transportation**

KCC, as Local Highway Authority raises a **holding objection** to the proposed application, subject to the matters below being satisfactorily addressed by the applicant.

The application site is allocated in the Ashford Local Plan (Site S3), so the use of the site for development is accepted in principle by the County Council, as Local Highway Authority.

This application is not currently promoting the delivery of the Pound Lane Link Road (PLLR), so the County Council has considered the impact on local roads in the vicinity of the site. The main points of access to the site currently promoted by the applicant, as set out in the Framework Plan, are as follows:

- 1) A new three arm roundabout off Magpie Hall Road, together with a new spine road being provided off the roundabout into the centre of the development site. The proposal also includes the closure of the junction of Long Length at its junction with

Magpie Hall Road and a new priority junction provided off the main through route onto Long Length;

- 2) Two new priority junctions off Pound Lane;
- 3) A new priority junction off Long Length; and
- 4) Access via Site S4 in the Local Plan (land north of Steeds Lane and Magpie Hall Road).

### *Proposed Access Arrangements*

The County Council has concerns that the access proposals do not consider the impact of the development on increased use of Pound Lane for vehicular traffic, cyclists and pedestrians, as the Pound Lane Link Road is not being promoted as part of this application.

The application also currently fails to properly address key walking and cycling routes to destinations such as John Wallis secondary school, Imagine Play Centre, and bus stops on Coulter Road and Britannia Lane. All of these destinations are outside the application site and as such, require new links in a northerly direction via Pound Lane and then via the existing Chartfields Estate and Britannia Lane. Improvements to walking and cycling routes are also required via Long Length and Merino Way.

It should be noted that there is currently no footway along Pound Lane from the proposed western access onto Pound Lane and along a section of Britannia Lane from the junction with Pound Lane. As a minimum, a two-metre-wide footway is required to connect into the existing footway on Britannia Lane (just to the south of the junction with Millbank Road). Further details are therefore required to be provided to the County Council to show how this facility will be provided.

There is currently an existing segregated footway / cycle way within Chartfields Estate that links from north of Pound Lane to Britannia Lane. Any pedestrian / cyclist seeking to access this footway / cycle way would need to cross Pound Lane, yet the proposal does not currently provide for an improved crossing point on Pound Lane. The applicant will need to investigate whether or not is possible to implement a speed limit reduction along Pound Lane to provide for an improved crossing facility. A minimum of two different week-long Automatic Traffic Counts are required in locations along Pound Lane, to be agreed with the County Council. Once the results of any speed surveys are known, the County Council will be able to discuss the most appropriate form of crossing facility required with the applicant.

A new footway / cycle way link from Pound Lane over the watercourse onto the footway / cycle way along Merino Way is also required. This is likely to be required in the form of a new three metre wide bridge over the watercourse.

The proposal currently fails to take into account the requirement for Site S5 in the Local Plan (Land south of Pound Lane) to provide a vehicle link from Ashford Road to the eastern boundary of the current application site (planning obligation 28 of the draft Section 106 Heads of Terms Agreement). It is the County Council's view that the eastern vehicle link onto Pound Lane, that is currently proposed, is not necessary and is not required, as it will encourage increased vehicle movements onto Pound Lane. The proposed link is not considered appropriate by the County Council, due to the width constraints along Pound

Lane and the direct potential for 'rat running'. From site measurements, Pound Lane is approximately five metres in width and there is a pinch point in the form of the bridge over the watercourse where the available carriageway width is 4.1 metres. A suitable vehicle link is proposed via Site S5 to be built to a Local Distributor Road standard, as agreed through the Kingsnorth Green planning application.

Even with the deletion of the eastern access onto Pound Lane, there will still be a western access built onto Pound Lane. This will result in a significant increase in the use of Pound Lane. Pound Lane is therefore required to be upgraded to a minimum of a 5.5-metre-wide standard throughout, up to the junction with Chart Road to cater for two-way vehicle movement. It is suggested that the western access is made the main through movement and that Pound Lane becomes the side arm of the junction. The proposed priority junction plan (1281-HL-102) should therefore be amended so that the main through route becomes Pound Lane north into the development site.

#### *Transport Assessment (TA)*

*A28 Corridor* – the County Council notes that the applicant has not modelled the impact of the development upon the A28 corridor from the junction with Chilmington Green Road up to Drovers Roundabout and M20 Junction 9. The A28 corridor is operating well in excess of its link flow capacity (as evidenced in the traffic flow spreadsheets supplied in Appendix F of the TA). This is also witnessed through severe queuing that currently takes place in both the AM and PM peaks on Great Chart Bypass, Chart Road and Templar Way (A28). Works to dual the A28 between Matalan and Tank roundabout were due to commence this year; however the developer of the Chilmington Green development has not provided KCC with the security payment to deliver the scheme. The developer is however allowed to build up to 400 dwellings until KCC can call upon the security payment. As such, works on the A28 scheme have yet to commence.

This development, once built out, is estimated to add 127 movements to the A28 corridor in the AM peak and 112 movements to the A28 corridor in the PM peak. The cumulative impact of this development, together with up to 400 dwellings at Chilmington Green, is therefore a severe impact without any mitigation proposals being proposed by this development, given that the A28 is already operating well in excess of theoretical link capacity.

*Accident data* - the accident data as submitted is out of date and needs to include the most recent three-year period up to January 2019. Upon request from the applicant, KCC will be able to provide this information.

*Public Transport Improvements* – the County Council notes that Stagecoach has yet to be consulted for its views on possible public transport improvements. KCC has nevertheless discussed the issue of required contributions with colleagues in the Public Transport Team at the County Council.

To date, KCC has sought £400,000 from the Kingsnorth Green development towards the improvement of services between the application site and Ashford Town Centre. This site is already served from the Ashford Road by a two hourly Stagecoach service 2A and an hourly subsidised service 11, giving 1.5 buses per hour. KCC would be seeking to increase this to

two buses an hour with a half hourly frequency provided to the Kingsnorth Green development across all routes.

These additional journeys could be provided either as a standalone service or additional journeys provided as 'shorts' on Stagecoach service 2A. At present, there is a lack of a turning point on Ashford Road to turn a bus; however, it may be possible to continue turning right along Magpie Hall Road to the proposed new roundabout with Chilmington Green Road. It may be possible to then extend the service into the Court Lodge development on commencement of phase one. KCC would be seeking £400,000 of funding from phase one of the Court Lodge development to extend this service into the site from Chilmington Green Road. Longer term, and on the basis of a new vehicular through route being provided from Ashford Road to Chilmington Green Road, there is the possibility that Stagecoach may wish to divert service 2A through the Court Lodge development site. There is potentially far greater patronage levels to be gained from up to 1,000 dwellings on this site. The link road should therefore be delivered as part of phase two of the development, at the very latest.

This will largely influence how KCC progresses in terms of the configuration of services from phase two onwards, but in order to ensure that the site receives a sufficient level of service, KCC would be seeking an additional £400,000 for phase two to extend the initial service into this part of the development and to improve service frequencies. A total of £800,000 is therefore sought towards improvements to local bus services in the vicinity of the site. KCC may decide in future to tender these services or alternatively the funding could go direct to Stagecoach to deliver an improved service in consultation with KCC. KCC would encourage further discussions between Stagecoach and Ashford Borough Council regarding this issue.

*Trip Distribution and Assignment* - full details of the agreed trip distribution and assignment should be included in the Transport Assessment.

*Proposed Office Development* - 350 square metres of B1 office spaces are being proposed as part of the planning application. The vast majority of the vehicle trips associated with this proposed use are likely to be external and so will be new trips on the local highway network. This is however not taken into account in the proposed trip generation for the site. Further junction modelling is therefore required on all of the junction assessments proposed to include the trip generation from the proposed offices.

*Committed Developments* - the Waterbrook Park and Park Farm South East developments need to be included in the committed development section of in paragraph 8.17 of the TA as these planning applications now have a resolution to grant planning permission. The trip generation from these proposed developments can be found in the corresponding Transport Assessments submitted with these planning applications.

*Junction 5: Ashford Road / Magpie Hall Road / Steeds Lane* - a scaled plan is requested, showing the proposed improvements to this junction that are being promoted as part of the Kingsnorth Green planning application so that KCC can review the dimensions as quoted in the PICADY assessment for the junction.

*Junction 6: Long Length / Magpie Hall Road* - the junction modelling results in Figure 9g of the Transport Assessment do not replicate what is being promoted at this junction in the

form of a new three arm roundabout, together with the closure of part of Long Length at its junction with Magpie Hall Road. The roundabout junction should be modelled based on a 2030 scenario with committed development; 2030 with committed development and Court Lodge; and 2030 with committed development with Court Lodge, Kingsnorth Green with Pound Lane closed.

*Junction 9: A2042 / Kimberley Way / Norman Road* - a capacity improvement scheme at this junction was implemented approximately two months ago. This provides three lane entry on all arms of the roundabout. The applicant is required to model the impact of their development on the as-built scheme.

*A2070 / The Boulevard / Waterbrook Avenue junction* - no junction assessment of the A2070 / The Boulevard / Waterbrook Avenue junction has been undertaken. This junction is within the ownership of Highways England and the only arm of the roundabout that is within the ownership of KCC Highways is The Boulevard. The County Council, as Local Highway Authority, needs to understand the impacts of the development on this arm of the junction. A mitigation scheme is proposed by Crest Nicholson (Finberry) at the roundabout known as the Bellamy Gurner scheme. Works to this roundabout to turn it into a signal controlled junction are likely to commence sometime this year. The applicant should test the impact of the proposed development on this scheme to ascertain whether or not there is sufficient capacity to cater for the proposed development.

*Stage 1 Road Safety Audit* - a Stage 1 Road Safety Audit is required for all of the proposed highway schemes below. This is to ensure that the County Council has the assurance that the proposal will not lead to any new highway safety concerns.

#### *Proposed Priority Junction Pound Lane South (1281-HL-101)*

As previously explained above, this junction proposal should be removed as it is not appropriate to encourage a substantial increase in vehicle movements along Pound Lane given its limited width. There is also a pinch point on Pound Lane at the location of the bridge that goes over the existing water course.

There is a desire by the County Council to secure the land required for the future Pound Lane Link Road, but this junction should not be provided as part of this application and should only come forward when the Pound Lane Link Road is provided. This plan should therefore be amended to show how a 6.75-metre-wide local distributor road can be provided up to the eastern boundary of the Court Lodge site to connect in with the Kingsnorth Green application site as discussed above, which can be secured through a Section 106 planning obligation.

There is, however, a need for this planning application to secure a new pedestrian linkage into the site from the existing footway that runs along the southern side of Pound Lane. This will provide a new direct link from the site to the Queen's Head Public House and the Ashford Road / Church Hill / Pound Lane junction. There is an agricultural access that runs just to the east of the watercourse by the bridge pinch point. This should provide a pedestrian link onto Pound Lane together with a new bridge to connect in with the existing bridleway that runs along the southern side of Pound Lane as the County Council does not

wish to encourage pedestrians walking in the carriageway to access the bridleway on the southern section of Pound Lane.

There does however need to be an alternative Secure by Design pedestrian / cycle link provided from Local Plan Site S5 up to the existing alignment of the Public Right of Way that runs to the far northern boundary of the site close to the junction of Pound Lane and Chart Road. This link should be provided directly in front of the most northern houses, so that it is lit and well overlooked. The provision of this link should be clearly shown in the Framework Plan document.

#### *Britannia Lane On Road Parking Provision (1281-HL-26)*

The County Council supports the proposal for a new parking lay-by on Britannia Lane. This will provide parking for up to six vehicles and ensure that Britannia Lane itself is clear of any parked vehicles. However, parking restrictions are required between the parking lay-by and the junction to the east serving numbers 2-42 Britannia Lane. The plan should be annotated to include the provision of double yellow lines to prevent any obstructive parking around the junction. The proposal will also require the removal of approximately nine street trees. These trees will need to be replaced at the cost of the applicant as part of the Section 278 Agreement between the applicant and the County Council. It is suggested that these trees could be replaced on the other side of the carriageway on Britannia Lane.

#### *Proposed Priority Junction Pound Lane North (1281-HL-102)*

As set out above, there are no details of required footpath provision along Pound Lane, linking into the existing footway on Britannia Lane. The proposed site access is 5.5 metres in width, but there are no details of required widening of Pound Lane to a suitable standard of 5.5 metres up to the junction with Chart Road to allow for two-way vehicle movement. Furthermore, vehicle tracking of the site access point needs to be provided for an 11.4 metre long refuse vehicle.

#### *Proposed Priority Junction Long Length (1281-HL-103)*

Vehicle tracking for an 11.4 metre long refuse vehicle needs to be provided for the proposed site access point.

#### *Ashford Road / Pound Lane / Church Hill Mitigation (1281-HL-200)*

The promoters of the Kingsnorth Green application site are proposing to signalise the junction of Ashford Road / Pound Lane / Church Hill. This has been secured through a respective planning condition for that site and is required prior to the commencement of Area Two or by the 151st dwelling (whichever is sooner). The junction modelling undertaken within the Transport Assessment demonstrates that the signalised junction will operate within 100% practical capacity and just over 90% theoretical capacity at 93.1% on the Ashford Road North and Church Hill arms in the PM peak.

The staging diagrams in the LINSIG assessment appear to show that the Pound Lane arm and Church Hill arm will run at the same time; however, no traffic will exit the Pound Lane

arm as a result of the Pound Lane closure. The proposal does not however take into account that there will be a small element of traffic that will exit Pound Lane at this junction, even with the closure of Pound Lane just to the west of Riverside Close. The junction model should therefore be re-run in both the AM and PM peaks based on a small element of traffic both entering and exiting Pound Lane from Ashford Road. There will be approximately 50 dwellings and the Public House (Queen's Head) that will still need to access Pound Lane from this junction. The applicant will need to agree the likely number of vehicle movements from Pound Lane onto Ashford Road with KCC as Local Highway Authority. Vehicle tracking is required to demonstrate that 16.5 metre long articulated vehicle can safely travel in a north - south direction along Ashford Road and that a minimum of two cars can safely wait in the right hand turn lane whilst seeking to turn right from Ashford Road into Church Hill. The signalisation of the junction does provide a safer layout and allows for the provision of formal pedestrian crossing facilities (something that the junction does not benefit from currently).

#### *Romney Marsh Road Roundabout (1281-HL-211)*

The proposal to increase the entry widths on all arms of the roundabout, whilst providing slightly more capacity, does not resolve existing safety issues at this junction as it will just encourage increased vehicle speeds into the roundabout at off-peak times. This roundabout junction currently features on KCC's Crash Remedial List and the County Council will be implementing a safety scheme at this junction in the next financial year. The County Council, as the Local Highway Authority is currently investigating a longer-term highway capacity improvement scheme at this junction, which provides enough capacity for all Local Plan sites up to the 2030 Local Plan scenario.

Subject to securing necessary Section 106 planning obligations, KCC is looking at delivering a scheme as a major project. The promoters of the Waterbrook Park site have devised a signalised roundabout scheme, together with a left-hand filter lane from Romney Marsh Road onto Bad Munstereifel Road. This scheme has also been subject to an independent Stage 1 Road Safety Audit. An outline scheme cost of £6,181,391 has been identified, of which £1 million has been secured from the Waterbrook Park development. The County Council has identified four further sites that can contribute towards this improvement as they will have a significant effect on this roundabout:

- Court Lodge (Policy S3 of the Local Plan);
- Kingsnorth Green (Policy S4 and 55 of the Local Plan);
- Park Farm South East (Policy S14 of the Local Plan); and
- Finberry (Policy S15 of the Local Plan).

The identified number of vehicle movements at the Romney Marsh Road roundabout in the PM peak period (this is the most challenging peak in terms of capacity) because of these sites has been identified by Kent County Council as below:

- Court Lodge – 217 movements;
- Kingsnorth Green – 195 movements;
- Park Farm South East – 57 movements; and
- Finberry – 64 movements.

Based on a pro-rata number of movements, the amount sought from this application site is £2,109,497. This contribution request may however change as a result of the increased trip generation from the proposed office development.

#### *Forestall Meadow Roundabout (1281-HL-311)*

In order to assess future capacity issues as a result of the proposed development, the applicant is proposing to provide three lanes of entry from Britannia Lane onto the roundabout and also widen the entry width and increasing the flare length on Ashford Road. This scheme is acceptable to the County Council as it provides a nil-detriment scenario subject to the provision of a Stage 1 Road Safety Audit.

#### *Designer Outlet Roundabout (1281-HL-911)*

The owners of the Designer Outlet have recently implemented a roundabout capacity improvement scheme at this roundabout, together with a new slip lane onto Romney Marsh Road from the new Southern Car Park. Details of this capacity improvement scheme were submitted as part of the Designer Outlet expansion planning application (14/01402/AS). The applicant is required to model the impact of the Court Lodge proposal on this scheme.

#### *Roundabout with Long Length and Magpie Hall Road (1281-HL-611)*

The proposed carriageway should be 6.75 metres in width, as per the Kent Design Guide for a local distributor road. The route is likely to be a bus route from Ashford Road so needs to cater for all types of vehicles including HGVs. As a minimum, a two-metre-wide footway needs to be provided on one side of the carriageway and a three-metre footway / cycleway on the other side in order to provide suitable pedestrian / cycle access from Stubbs Cross into Court Lodge and vice versa. A new footway connection is also required from the junction of Tally Ho Road / Magpie Hall Road to the proposed new roundabout. The proposed splitter islands at the roundabout can be used as pedestrian crossing points. The section of Long Length between the proposed northern and southern accesses should be downgraded to be a pedestrian / cycle link only to encourage vehicles to route through the development site. Lockable drop-down bollards should be provided at either end of Long Length to prevent unauthorised vehicle access. Vehicle tracking for a 16.5 metre long articulated vehicle needs to be provided for this roundabout to show that this size of vehicle can manoeuvre around the roundabout.

#### *Additional notes*

The proposed travel plan should be secured through a Section 106 planning obligation together with a £10,000 monitoring fee (£1,000 per annum over a 10 year period) so that KCC can effectively monitor the travel plan.

All dwellings with private off-street car parking should have an electric vehicle (EV) charging point installed and this should be subject to a planning condition. Where communal car parks are proposed, EV charging points should be provided at a rate of 10% of the total car parking provision.



## **Public Rights of Way (PRoW)**

The County Council would like to ensure the applicant is aware of public footpaths AW298 and AW299, bridleway AW376 and restricted byway AW299A, which will be directly affected by the proposed development. The locations of these paths are indicated on the attached extract of the Network Map (Appendix 1).

The Design and Access Statement includes proposals for new pedestrian and cycle routes, walkable neighbourhoods and improved pedestrian and cycle connectivity. It proposes to safeguard opportunities for wider pedestrian and cycle linkage to Discovery Park West and considers a role for the Roman Road to provide this provision and links to the Park.

KCC is supportive of the proposals outlined in the Design and Access Statement in relation to the proposed pedestrian and cycle routes; and requests that in order to meet the pedestrian and cycle connectivity requirements for the site, footpaths AW298 and AW299 are upgraded to bridleways. AW298 will provide an important link to existing bridleway AW376, to the east, connecting to the proposed Chilmington Green bridleway and Discovery Park to the west. In addition, the upgrade of footpath AW299 to bridleway will provide pedestrian, cycle and equestrian access north to south through the site; providing a link to restricted bridleway AW299A to the north and connecting to Magpie Hall Road to the south. There is potential here to extend the route of the proposed Chilmington Green bridleway to provide a connection to the Court Lodge development to the south west.

The Design and Access Statement also states that multiple site accesses will be explored and that existing PRoW through the site will be retained and enhanced with new surfacing, signage and seating. Routes will be extended to provide interlinked movement, recreational routes and links north to Ashford, south to Stubbs Cross and west to Discovery Park and Chilmington Green will be included. The upgrades of footpaths AW298 and AW299 to bridleway, support Court Lodge's Site Access Strategy. They will provide traffic free routes linking to Stubbs Cross, Discovery Park and Chilmington Green and will greatly benefit the sites connectivity, further increasing opportunities available to residents for recreation, active travel and exercise.

KCC notes that the final design, including materials, seating and signage for the Roman Road is to be determined via a reserved matters application. The County Council requests that details of the PRoW are also included within any relevant subsequent applications. Furthermore, KCC notes that the application identifies two locations where carriageways interface with the Roman Road. KCC requests that the PRoW Network is included and that any crossing of the Roman Road or PRoW should be managed to ensure pedestrian, cyclist and equestrian safety, as required.

### *Greensands Way*

The Greensand Way is an important route that has been recognised within the Chilmington Green development and forms part of the promoted long distance walk. Although within this site the Greensand Way has not been obstructed by any proposed building work and appears to run within an area of amenity green space, the alignment of the route has not

been shown on any maps and KCC requests clarification of the treatment of this route by the applicant.

In respect of ongoing maintenance, it will be expected that site operators take on maintenance responsibilities for any landscaping and enhancements to benefit the PRow network. In the case of any planted vegetation screening, this should be cut on a regular basis so that PRow are open and available to their full width at all times. If it is appropriate to do so, KCC requests that the maintenance responsibilities be added as a planning condition.

KCC would strongly advise the applicant to contact the County Council at its earliest convenience to address all PRow issues and discuss crossing points, surfacing and signage specifications, to ensure that the planning process is not unnecessarily delayed.

### Provision and Delivery of County Council Community Services

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that the scheme will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution. The County Council has provided a summary below.

	<b>Per Applicable House (1000)</b>	<b>Per Applicable Flat (0)</b>	<b>Total</b>	<b>Project</b>
<b>Primary Education</b>	£4,535.00 per house	£1,134 per flat	Up to £4,535,000.00	Contributions towards a new 2FE Primary School at Court Lodge
<b>Primary Education - Land</b>	Freehold transfer at 'nil' cost to KCC of a 2.05ha site in accordance with our General Site Transfer Requirements, attached See Appendix 6 for KCC's site transfer requirements			
<b>Secondary Education</b>	£4,687.00 per house	£1,172.00 per flat	Up to £4,687,000.00	Contributions towards the new Chilmington Green Secondary School – Additional 2FE

'Applicable' excludes 1 bed units of less than 56 sqm GIA. Confirmation requested that 29 of the flats are under 56sqm GIA.

	<b>Per Dwelling (1000)</b>	<b>Total</b>	<b>Project</b>
<b>Community Learning</b>	£34.45	£34,451.65	IT and Equipment to enable outreach provision and increased capacity within existing local centres
<b>Libraries</b>	£108.32	£108,320.49	Book stock, IT and enhanced services at Stanhope Library
<b>Youth Service</b>	£27.91	£27,908.39	Equipment and mobile vehicle to enable the provision of outreach

			services in the area.
<b>Adult Social Care</b>	£77.58	£77,580.00	Fairlawns Respite Care, Ashford
	KCC requests that the on-site community facility is DDA compliant (Wheelchair accessibility requirements of the Equalities Act 2010 and Building Regulations approved document Part M), incorporates a dementia friendly design and Changing Place Facility (as per <a href="http://www.changing-places.org/install_a_toilet/design/changing_places_standards.aspx">http://www.changing-places.org/install_a_toilet/design/changing_places_standards.aspx</a> )		
	<b>10 Wheelchair Adaptable Homes</b> as part of the onsite affordable homes delivery		

Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment** (Oct-16 Index 328.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

The full detailed assessment of the implications of this proposal on County Council community services is provided in Appendices 2-6.

## Education

The County Council would like to raise the following comments on the proposal for a new school at the site.

The County Council's KCC General Site Transfer Requirements (Appendix 6) require that the entire site is located outside of any flood zone. The County Council notes that the current scheme shows that a small part of the education site will fall within the flood zone and requests that the education site is altered accordingly.

The County Council also notes that there is an overhead power line that runs over the education site and that this overhead power line currently has a building exclusion zone. The County Council recognises that concerns are often raised with overhead power lines and therefore requests the applicant has consideration of the KCC General Site Transfer Requirements, which sets out that no overhead cables are located within 250m of a new education facility.

The County Council notes that within the Design and Access Statement, paragraph 6.7, reference is made to the proposed education site containing public realm. The County Council would like to clarify that public realm on school sites is not acceptable, due to the need for the security. It is not possible for an education facility to take responsibility for land which is not secure, with unrestricted access. The budget for the school proposal will not allow for the public realm to be constructed, nor will the school have the revenue cost of maintenance of the public realm. The County Council recommends that the applicant makes the necessary amendments to rectify this issue.

## Sustainable Urban Drainage Systems

The County Council, as Lead Local Flood Authority, has reviewed the information submitted and is generally satisfied with the principles of the design, namely limiting the surface water discharge rate from site to the existing Qbar value and for this to be discharged to an existing watercourse.

The discharge rate proposed, whilst acceptable, is slightly higher than that advised within Ashford Borough Council's latest SPD. The County Council requests that confirmation is sought as to the acceptability of the proposed rate (4.39l/s/Ha).

KCC would expect to see the drainage system modelled using Flood Estimation Handbook (FEH) rainfall data in any appropriate modelling or simulation software. Where FEH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of the County Council's latest Drainage and Planning Policy Statement (June 2017)<sup>1</sup>; the FSR dataset should not be used.

As this is an outline application, the County Council is willing to accept the values used at this stage, but will expect for these be dealt with as part of the detailed design.

The County Council will also expect for it to be demonstrated that the receiving network is in a good working manner, for the proposed flows, prior to any connections being made, remedial works may be required should this not be possible.

KCC would recommend that the following conditions are attached to a decision notice:

*1) Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the FRA prepared by Brookbanks dated 20th November 2018 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.*

*The drainage scheme shall also demonstrate (with reference to published guidance):*

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.*
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.*

*The drainage scheme shall be implemented in accordance with the approved details.*

*Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off*

---

<sup>1</sup> [http://www.kent.gov.uk/\\_data/assets/pdf\\_file/0003/49665/Drainage-and-Planning-policy-statement.pdf](http://www.kent.gov.uk/_data/assets/pdf_file/0003/49665/Drainage-and-Planning-policy-statement.pdf)

site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

2) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority, which demonstrates the suitable modelled operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; topographical survey of 'as constructed' features; and an operation and maintenance manual for the sustainable drainage scheme as constructed.

*Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework (July 2018). This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.*

## **Biodiversity**

The County Council recognises that the applicant has carried out extensive ecological surveys within the site and surrounding area. The surveys provide a good understanding of the ecological interest which appears to be greatest around the existing hedges/ditches/water ways. The County Council notes that the majority of these areas will be retained or there is sufficient space within the proposed green infrastructure to implement mitigation.

KCC would like to highlight that ground nesting farmland birds (including skylarks) have been recorded and no information has been provided demonstrating how they will mitigate for the loss of farmland habitat.

KCC requests that further detail is provided with regards to mitigation, including a Mitigation Plan, clearly setting out how much habitat will be lost and subsequently created/enhanced and where the habitat will be created/enhanced. This will enable the application to demonstrate that appropriate mitigation can be implemented. The applicant should note that the Mitigation Plans will need to be adhered to in subsequent reserve matter applications, if outline planning permission is granted.

Further to the submission of a Mitigation Plan, KCC requests that the applicant submits a table detailing the areas of habitat which will be lost as a result of development, and the

habitat which will be created. KCC also requests that the applicant provides details of how they propose to mitigate for the loss of farmland habitat.

## **Heritage Conservation**

The County Council provided a direct response to Ashford Borough Council on the 24 January 2019 in relation to heritage conservation. A copy of the response is attached in Appendix 7.

In summary, the County Council noted that the application site lies within an area of high archaeological potential associated with prehistoric and Roman activity and with possible medieval and later activity focused around Court Lodge Farm itself. Whilst the heritage assessment is reasonable, there are some key areas which need further consideration prior to determination of this application.

## **Minerals and Waste**

The County Council, as Minerals and Waste Planning Authority, is responsible for ensuring that mineral resources and minerals infrastructure are not needlessly sterilised by other forms of development. This ensures a steady and adequate supply of minerals is maintained into the future to facilitate sustainable development. This safeguarding approach is supported by the National Planning Policy Framework (NPPF) and in the adopted Kent Minerals and Waste Local Plan 2013-30 (KMWLP)<sup>2</sup>. The NPPF requires that development proposals should not be permitted within mineral safeguarding areas where they might constrain potential future use of the economic mineral resource. As such, the policies within the KMWLP aim to prevent the sterilisation of Kent's potentially economic mineral assets.

The proposed development application site is partly located within a Minerals Safeguarding Area (MSA) as defined by Policy CSM5 "Land-won Minerals Safeguarding" of the adopted KMWLP, as shown on the Ashford Borough Mineral Safeguarding Areas proposals maps. The proposed outline development application site is coincident with the following safeguarded economic minerals:

- Sub-Alluvial River Terrace Deposits;
- River Terrace Deposits; and
- Limestone- Pauldina Limestone, Weald Clay Formation.

The submitted Framework Plan (Drawing No 147-P-09 Rev K) shows where potentially sterilising development may occur across the site. It would appear that the some of the Sub-Alluvial River Terrace and River Terrace Deposits in the central area of the application site could be at risk of sterilisation from the potential new residential, local centre and educational development. The area where the Pauldina Limestone is situated appears to be

---

<sup>2</sup> <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy#tab-1>

unaffected by potentially sterilising development, as this area is identified on drawing (147-P-09 Rev K) to be for green infrastructure and structural woodland planting.

The County Council notes that the application is in outline only and the layout of the development may change. Therefore, the County Council requests that a detailed Minerals Assessment is carried out by the applicant. The Minerals Assessment should clarify if the development of the site would sterilise the economically important minerals, and whether it is appropriate to revise the application to avoid this impact. Alternatively, the submitted Planning Statement, informed by the evidence of a Mineral Assessment, should be amended to justify as to whether there are circumstances that invoke any of the specified exemptions from the presumption to safeguard, as set out in Policy DM7 of the KMWLP.

The County Council and Minerals and Waste Planning Authority is happy to discuss this further with the applicant or the Borough Council and can be contacted at [mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk) or 0300 422370.

### **Countryside, Leisure and Sport**

The County Council would like to ensure that the applicant considers Sport England's Active Design<sup>3</sup>. This publication encourages design of developments to build activity into people's lives with linking walkways and cycle routes to green space and community facilities.

---

The County Council will continue to work closely with the Borough Council to help to ensure the delivery of new housing and infrastructure in response to local needs. In addition, the County Council welcomes any further engagement with the Borough Council and the applicant as this planning application progresses.

If you require any further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely



**Barbara Cooper**

Corporate Director – Growth, Environment and Transport

Encs:

Appendix 1: Extract of the Network Map

Appendix 2: Detailed Response regarding Provision and Delivery of County Council Community Services

Appendix 3: Education Assessment

Appendix 4: Community Learning & Youth Service

Appendix 5: Social Care Assessment

Appendix 6: General Transfer Requirements

Appendix 7: KCC Heritage Conservation Response dated 24 January 2019

---

<sup>3</sup> <https://www.sportengland.org/media/3426/spe003-active-design-published-october-2015-email-2.pdf>