



Roland Mills,
Planning Department.
Ashford Borough Council,
Ashford ,
Kent.

12th April 2016 .

Comments on the Stour park proposals planning application 14/00906.

Dear Roland,

These are comments on the revised illustrative master plan, the Development Specification, the Environment report and also informed by the Market Context report. We note that the application site has been extended to enclose Highfield Lane, i.e beyond the allocated U19 site

1. Approach to Development

The Development Specification document and the Parameter Plans in it are what is being proposed as an outline planning permission. The illustrative master plan is indicative and is being put forward as an illustration of an acceptable way to deliver the proposed parameter plans. Appearance, landscaping, layout, and scale are proposed to be reserved matters. It is therefore a speculative plan.

The site is allocated in the Urban Sites and Infrastructure Development Plan Document (DPD) (2012) as a strategic employment area (Policy U19) and is also identified in the Ashford Core Strategy. Given the major changes to the character and appearance of the area and the scale of the site, the policy specified that:

“Prior to the granting of planning permission for development on this site, a masterplan for the development of the whole site shall be submitted to and agreed by the Borough Council”.

P14 of the Design and Access Statement explains that the masterplan should be informal and directed by a programme of public engagement. CPRE cannot find this reference in the DPD, but it is clear in the policy that it should be agreed by the Council prior to granting permission on the site. This suggests that the masterplan, once agreed, would become a ‘material consideration for the purposes of decision-making’. The development guidance (illustrative masterplan and parameter plans) fails to clearly identify constraints and advise in some detail on necessary development responses. It is essential that the approach to sensitive views/receptors (heritage and landscapes), ecology, maximum site cover, maximum building

The Kent Branch of the Campaign to Protect Rural England exists to promote the beauty, tranquility and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country.

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height, materials, and provision of infrastructure are clear outputs of the master planning exercise. This is a particularly sensible approach when a development is speculative.

CPRE disagrees that the illustrative master plan/ parameter plan approach is acceptable for this sensitive site. The illustrative masterplan appears to uncomfortably establish the principle of massive buildings (footprint, scale and height) that are clearly detrimental to the locality. CPRE sets out in this representation why it believes the development is likely to be harmful.

It would not be appropriate for the Council to accept significant harm on the basis that the uncertain benefits of development were considered to outweigh the harm caused. The character of a use, its employment benefits, and the contribution to the local economy must form part of the balance of this assessment. Once a detailed scheme is proposed, then the appropriate weight can be assigned to the benefits of development. At this stage, and in the absence of a committed occupier of the largest buildings, the masterplan should be balanced carefully towards design principles that respond to the sensitive nature of the site. That is not to say that substantial employment units will not be acceptable, but instead that landscaping, scale, height, size and orientation of units should be more carefully considered.

The magnitude of change suggested in the illustrative masterplan (and accompanying parameter plans) is such that an outline application is not appropriate. In the absence of a masterplan that seeks to firmly respond to the sensitivities of the site, a detailed application will be needed to assess the impacts.

2. Development Design

The development specification parameter plans show giant, provocatively white boxes on raised level plots with only brief reference to a design guide to follow permission as part of reserved matters, and no reference at all to the fact that this proposal is in the setting of the AONB. The design parameters that might be used to mitigate immediate local impacts and long distance views from the AONB are buried in the detail of the 500 page environmental report, when they should be up front as part of the Parameter plans. Roof design, height, materials and colour should also be broadly specified at the master planning stage so that the impact of the buildings from outside the site, and the AONB in particular, are minimised.

These matters are fundamental aspects of the development and must be addressed properly as design and operational parameters of the development fully discussed at the outline planning stage, not be left for reserved matters.

3. Impact on AONB

The applicant has failed to properly demonstrate the significance of impact on the setting of the AONB. It is obvious that despite the location of the site being on the urban edge of Ashford, the scale of the buildings and the expanse of roof presented on two of the plots would be prominent in views from the Kent Downs AONB. The AONB is a landscape of considerable importance with the highest status of protection in relation to landscape and scenic beauty. The setting of the AONB from the North Downs scarp has significant value and this has been recognised in the appeal decisions at Waterside Park (APP/U2235/A/14/2224036 and APP/U2235/A/15/2229271) and the Secretary of State decision to uphold the dismissed appeal and Kent International Gateway (APP/U2235/A/14/09/2096565).

The NPPF advises that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. This is not achieved by the proposed development, which fails to give great weight to conserving landscape and scenic beauty in the AONB (as required at NPPF Para 115).

This impact must be minimised, by means of a substantial structural landscaping to the north of the site. The size of the buildings at plot 1, 6 and 7 and the extent of car and HGV parking will need to respond to this concern. These landscaping requirements should be established as part of the master plan and

secured in perpetuity by legal agreement. As stated in the previous section: height, roof design, materials and colour should also be broadly specified at the master planning stage due to the sensitivity of the site.

4. Nature conservation

The site surveys submitted with the application have identified nearby bat roosts (adjacent listed buildings), foraging bats, slow worms, grass snakes, common lizard and water voles. The major area of the site is arable land which is of great importance to farmland birds which use this site for nesting and winter feeding. No mitigation is proposed for this loss.

In particular, the area identified (north-west of the site) as supporting a slow worm, grass snake and common lizard population, is almost entirely covered by buildings, car parking and SuDS in the illustrative masterplan. The recommendation set out in the reptile survey report (prepared by Middlemarch Environmental) states:

“The strategy will detail how the works will proceed without breaching wildlife legislation, and will ensure that:

- *Reptiles will be protected from harm that might arise during development work; and*
- *Sufficient quality, quantity and connectivity of habitat is provided to accommodate the reptile population, either on-site or at an alternative site, with no net loss of favourable conservation status”.*

In the current plans, the applicant has not sought to detail the mitigation proposed, both on and off site (if required and appropriate). It is essential the council is satisfied that the right type of mitigation can be incorporated into the proposed landscaping. This has not been achieved and should be identified as part of the masterplan. Similarly replacement hedgerows for bat feeding opportunities should be incorporated into the development, alongside dark sky proposals.

The development has clearly not sought to proactively conserve biodiversity and deliver net gains, where possible, as required by the NPPF (para 118). It is unfortunate that the reptile habitat has not been incorporated into the development and that part of the site associated with plots 1, 6 and 7 should be amended to retain some reptile habitat as well as a structural (treed) landscaping.

5. Heritage Impact

The National Planning Policy Framework (NPPF) at paragraph 126 identifies that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. CPRE cannot share the applicant’s assessment in terms of significance and impact.

It is without question that the enormous size, height and bulk of the proposed buildings would do substantial harm to the significance of St Mary’s Church. It is the view of CPRE that to permit development in this form, in this location, would not be fulfilling the statutory requirement to give special regard to listed buildings and their setting.

The unsatisfactory approach to heritage set out in some detail in the attached Appendix 1 shows how difficult this site is, and how much more needs to be done to avoid damaging not only the heritage setting of St Mary’s church, but many other listed buildings and the heritage environment of East Ashford.

6. Site Cover layout and operations

Friends Life/AXA Diem appear to have followed ABC’s local plan policy of no more than 45% site cover, rather than their own Market context advice that B8 logistics practice now prefers 35% site cover, and cross docking is commonly required which would require a significantly different layout. CPRE does not agree that the illustrative master plan is in any way acceptable. It is also both unwise and most unfortunate that the applicant has put forward plans with grossly intensive site cover on the plots especially plot 1 and

plot 2. Site cover needs to be more transparently described as the site cover in the area of the site that is actually available for development : i.e excluding the gas main safeguarded area , and excluding the area restricted for heritage reasons.

As it is being presented currently, this is largely a groundworks and highways plan – with detailed plans for road access and indicative alignment of plots. The focus is on managing just two of the constraints: the Grade 1 listed St Mary’s church, and the strategic high pressure gas main that runs through the site north-south. There is no plan of how the development would operate commercially and this is essential detail to be able to assess the likely impact on nearby communities and the highway network. Details need to be established, such as:

- (1) Would operations be restricted to 9-5 as implied by the transport assessment?
- (2) What would be the operational implications of meeting the HGV parking space assumption of 1 space per 300m²? Would this restrict the site to bulk storage low turnover operation. If the units were to be tenanted by high turnover operations more parking spaces would be needed.

The current market context and current local conditions must be fully assessed including not only the design and build specification of the warehousing and distribution units but also modelling of how the site will operate, including cross docking and delivery and collection slot management. Ashford has considerable experience and data on HGV operations, particularly on HGV parking operations to meet Drivers Hours and Working Time Directive requirements. These points are so important in Ashford they are expanded in paragraph 8 below. These requirements need to be modelled with current market conditions stock turn and ‘dark store’ operations as noted in the market context report, and the actual high stock turn operations of potential tenants. The currently provided transport assessment is insufficient . The implications of this modelling work should be fed into either additional parameter plans as part of this outline application or as planning conditions to be discharged in further full planning applications. These further planning applications need to include public consultations for the reasons that the impacts of this development are acknowledged to be adverse on a number of key parameters .

7. Relationship to highway network, and ports.

There appears to be no reference to the specific site context of proximity to the channel ports. Neither is there any reference to the risks or management impacts of Operation Stack , even though this revised proposal was deposited in November 2015, i.e shortly after the major summer disruption. The relationship to junction 10a also needs to be given in more detail : now that HE have tabled a proposal for consultation there is an opportunity to be clear that the access to and from the B8 units will only be from the 2070- 10a link road. This would go some way to containing the impact and ensuring that local roads remain local .

8. Lorry parking requirements

There is no reference to the requirements or effects of lorry parking requirements to meet drivers’ hours long as well as short rest periods, nor any appreciation of the specific issues of overnight lorry parking that are a major issue for Ashford borough. In order to be operationally successful details need to be established, such as:

- (1) What provision is the applicant making for the delivering and collecting HGVs going to wait for their timed slots?
- (2) In terms of arrangements on-site, where are the turning areas and are the buildings really going to be one sided?
- (3) What is the actual number of lorry parking spaces on site and will this meet drivers hours requirements
- (4) What restroom facilities will be provided for drivers delivering to or collecting from the site
- (5) Is any chilled storage anticipated : if so what facilities will there be for chill trailers to plug in to avoid noise and air pollution of chiller units running.

9. Evidence of economic need

A one line statement in the Market context report that is focussed on the Greater South East advises that demand is greater north of the Thames. The economic assessment of the proposed site use needs further evidence on the commercial merits of the proposal and a proper local assessment in relation to:

- proximity to channel crossing logistics, access and congestion management
- the constraints of the Dartford crossing ;
- the provision of local lorry parks;
- call-forward arrangements, not only for construction , but also for operations as part of the operational conditions of 'build to suit' tenancies.

The JLL Market context report is up to date on competitive sites, including the former Aylesford paper mill; it is notably silent on the operational logistics context for the channel corridor. What evidence is being presented that this is the right location for a major logistics site.

10. Protection of nearby communities

This development is in open countryside and the nearby village of Mersham needs to be protected by an area of open countryside to protect its rural status. This area is to be totally and inperpetuity protected from development. This is not provided for in these proposals which compromise the Highfield road contrary to policy U19. The land the applicant owns to the east of Highfield Lane should be declared a green space in entirety as a strategic gap between employment land of the application site and the established residential community of Mersham. Low (2m) bunding and planting for 15 year maturity screening is necessary but absolutely not sufficient for the protection of Mersham. Also this should be within the site : i.e west of Highfield Lane

A detailed master plan, seeking to safeguard important interests is essential. Similarly it is necessary to ensure that the local rural lanes are not used as rat runs .The proposals for J10a of the M20 need to be considered in conjunction with this proposal.

11. Conclusion

For all of the above reasons further investigation and analysis is essential because this development, were it to be permitted, will have major adverse impacts on the local communities and environment and would result in loss of habitats, agricultural land , tranquillity and increased noise, air pollution, light pollution, and stress for the impacted communities. The applicant proposes that these impacts will be moderate or even insignificant over time, but that is with 15 years of adaptation to a mitigated outcome. That is not sustainable development, and requires a more appropriate and detailed approach than is being proposed in this application.

12. Overall Planning Balance

- The NPPF seeks for planning decisions to proactively drive and support sustainable development.
- The proposal would have the benefit of providing employment development on an allocated site.
- The masterplan and associated parameter plan do not give sufficient consideration to community, traffic, landscape, heritage and wildlife impacts.
- The proposal does not clearly demonstrate how the development relates to the M20 Junction 10a scheme, nor how it intends to respond to the requirements in the policy for a new link road through the site, crossing the railway line to the south, or explain why that has been dropped.
- The proposal would give rise to considerable environmental harm to the local area, and in particular the setting of the Grade 1 listed church. It would also have an impact on the setting of the AONB.
- In view of the demonstrable harm to the setting of the listed building and the AONB and the failure to demonstrate a suitable infrastructure that responds to the challenges of this location, CPRE do not consider this development is sustainable.

- Operation of the site, including operation hours, likely traffic movements, HGV parking, turning and on and off-site waiting arrangements have not been resolved.
- It is without doubt that the adverse impacts would be significant and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. Sustainable development is about change for the better and the proposal does not achieve that end.
- It is the purpose of the policy (and its requirement for an agreed masterplan) to ensure that the potential for harm to significant assets and infrastructure is minimised. It is unacceptable that the masterplan should be designed around a speculative development, where the resultant site layout and design fails to identify, minimise and mitigate those harmful impacts.

CPRE opposes the development as currently presented.

With kind regards

Hilary Moorby

Chairman CPRE Ashford District Committee (incorporating Ashford Rural Trust)

Attached : Appendix I Heritage Assessment

The historic hamlet of Sevington is situated on the eastern edge of Ashford providing a rural buffer between the urban development and the wider rural landscape. The current settlement is a cluster of historic buildings on the eastern side of the A2070. In recent years the setting of these heritage assets has

been harmed with the introduction of the high speed railway to the south, the M20 to the north and the A2070 to the east of the settlement. However the proposed development at the Stour Park site would cause the irreparable and total harm to this historic environment. Indeed the setting of the heritage assets would be completely devastated by the design and scale of the buildings, the increase in traffic to the site, the noise, air and light pollution that the site will create and the creation/expansion of existing roads that will irreparably harm what is left of the setting of the historic rural area.

The Heritage Impact Assessment provided for the application has listed 33 heritage assets and a conservation area that are within 500m of the proposed development site. All of these are either considered to be already adversely affected or that the development will have no effect. However this verdict of the site having no effect is only taking direct line of site to the development into account. It does not consider the increase in traffic or noise, light and air pollution. With the assets that have been deemed already damaged by the M20, A20, A2070 and/or the channel tunnel rail link the report implies that due to the irrevocable damage done already, building an employment park with limited mitigation will make no difference to the setting of these heritage assets. As five of these heritage assets are within the immediate vicinity of the site this is a laughable conclusion. The other heritage assets within the 500 meter assessment zone would still be adversely affected by the dust, air, noise and light pollution created by such a large site. Historic England's good practice advice states that the setting of an asset is inclusive of air, noise, dust, vibration and light pollution. The HIA suggests that the noise, light and air pollution created will not adversely affect the historic landscape as the suggested opening times will be Monday – Friday 8am-6pm and 8am – 1pm on Saturdays. However this shows a lack of foresight as in today's economy as there are few industries that work on such a limited opening timescale. The larger plots would recommend themselves to larger companies whose operational times are generally long and have a constant flow of traffic to and from their warehouses. With the economy running on a 24/7 basis, the HIA suggestion that this will not contribute to light, noise and air pollution is inaccurate and therefore the setting of the heritage assets will be adversely affected in a more severe manner than predicted. Should planning permission be given with restrictions on the opening timescales for the development as mitigation, the area would have less appeal to companies that would use such large business premises, raising the possibility for the site to be empty for large amounts of time and the employment benefits would be minimised. If this is the case then the public benefits of the site are severely limited and do not outweigh the harm to the historic setting of the heritage assets.

The lack of mitigation for the site is concerning. Paragraph 137 of the NPPF states that a new development should enhance the setting of any heritage asset or better reveal the significance, therefore suitable mitigation should be put in place. The proposal to place trees along the outskirts of the site is commendable however more must be done to create a barrier between the heritage assets, particularly the church of St Mary's, and the site. The avenue of wild planting and grassland between plot 1 and 2 to retain the sight line between St Mary's Sevington and St Mary the Virgin in Mersham does not mitigate the view of the site from St Mary's Sevington, rather it accentuates contrast between old and new in a negative manner. Therefore rather than enhancing the historic assets around the site it will harm their significance. Design wise the assessment suggests using a grey, blue and green colour scheme for the buildings. This would damage the setting of the listed buildings locally. A brief examination of the heritage assets nearest to the site show that they have used local materials to build; many have red or brown brick, white painted brick and timber cladding.

The scale of the buildings proposed is alarming and unsympathetic to the heritage landscape. The HIA stated that the buildings closer to the grade I listed church are to be shorter than the church spire to help mitigate the effect to the historic horizon however the height of the other buildings on the site do not follow the same restrictions. In view of the heritage assets around the site and the idea of keeping the direct line of site from St Mary's Sevington to St Mary the Virgin in Mersham, by keeping a uniform height for all the buildings, similar to the height of the buildings closer to the church, would go some way towards mitigating the harm to the setting of the Grade I listed churches and the Grade II listed buildings around the site.

Also the foot print of the buildings is massive in comparison to similar developments nearby. By splitting plots 1 and 2 into smaller buildings the impact of the buildings would be lessened and more sight lines through to the AONB and rural areas beyond the site can be created and provide a link between the historic rural landscapes that have been disturbed. The archaeological examination was lacking in view of the Bronze Age, Iron Age and Medieval remains nearby. More needs to be done to examine the prehistoric and

Roman remains that were located North of Sevington church. More fieldwork and mitigation must be done to investigate the site before the verdict of 'negligible archaeological potential' can be verified as accurate. The HIA has completely ignored the impact of the site on the AONB. Though the site is a distance away, the Kent Downs can be seen from the Church of St Mary's and the surrounding historic rural landscape. Therefore the effect of the site on the wider setting of the AONB should be taken into account. By creating smaller buildings in a design that compliments the historic rural landscape would limit the harm to the setting of the AONB.

In light of these points the HIA is inaccurate and unrealistic. Paragraph 133 in the NPPF states that applications should be dismissed if a development causes harm to the setting of a heritage asset, unless the public benefits outweigh the harm. The proposed site masterplan does not mitigate the adverse effects of the development on the rural historic setting of the heritage assets in the area. It is not clear from these proposals how the mitigation can be delivered without the public benefits being too restricted to be viable. The HIA has made unrealistic and inaccurate predictions that would deliver more harm to the heritage assets within the study area. Even with mitigations in place the site is still damaging to the heritage environment. However details of how design landscaping and scale would be delivered could make the balance of harm and benefit less damaging and as well as complying with the policy requirement for an approved master plan.

It would be possible to discuss mitigation, for example by limiting the height of all building to 8 meters and adopting building designs and materials that are as sympathetic to the local heritage environment and unobtrusive in the wider heritage and AONB landscape. However at this stage it is necessary to oppose this proposal as inadequate on a number of grounds, since addressing the heritage problems will be only part of the improvements and reconsiderations that are necessary to make this proposals viable in such a sensitive site.

CPRE April 2016