

Appendix A – New Ash Green Village Centre Regeneration - background information.

1. Introduction

- 1.1. The Village Centre is defined in Appendix 5 of the Council's Allocations Development Management Plan (H2 (e) New Ash Green Village Centre, New Ash Green). See page 9 of this report for further details. There are three main landowners with interests in New Ash Green Village Centre.
- 1.2. Piperton Finance is represented in the UK by Richmond Lodge. Piperton Finance is an overseas company with its Head Office currently based in the British Virgin Islands. The other two landowners within the Village Centre are Gableholt (an overseas company) and the Co-operative Group (Co-op) who also have agents managing their interests
- 1.3. The District Council has no land or property related rights in the Centre, other than the lease in respect of the public toilet as addressed in the main report (paragraph 4)
- 1.4. The Centre has been in commercial decline for some time and there has been an apparent lack of private sector investment in its physical fabric. The shopping offer has contracted especially with respect to the upper floors and there is evidence of decay.
- 1.5. The District Council has been pressing the landowners for several years to produce a strategy for investment, which would focus on enhancing the shopping offer and regenerate the worn out fabric. Such a strategy might include refurbishment or redevelopment in whole or part depending upon the viability of the proposals.

2. Local consultations – Planning for Real

- 2.1. In 2005 a comprehensive consultation of local residents, businesses and organisations was conducted by Sevenoaks District Council. The Planning for Real method was used with participants making known their aspirations for the village centre using a model of the village built by local children and taken to a variety of community locations
- 2.2. The conclusions identified were as follows:
 - Residents of New Ash Green have demonstrated their commitment to the village centre by participating fully in this consultation event.
 - No residents expressed satisfaction with the current state of the Shopping Centre.
 - There is a clear link between the run down appearance of the Shopping Centre and anti-social behaviour.
 - Residents are open to new development ideas, including a mixed development incorporating retail, residential units and office accommodation.
 - The minimum requirement is immediate repairs to the Centre and an on-going maintenance programme.
 - The community feels let down by the neglected state of the Shopping Centre which is an important part of the village.
- 2.3. In addition, the report identified possible future action based on the findings of this consultation as follows:

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- A timetable of action to be agreed for either re-development or refurbishment and maintenance of the Shopping Centre.
- The owners of the Shopping Centre should draw up options for the re-development of the Centre to take account of the views expressed in this report and consult further with residents to identify preferred options.
- Any re-development or refurbishment proposals should be developed in partnership with Kent Police and other agencies that can assist in addressing anti-social behaviour issues.

2.4. The consultation informed subsequent planning policy which supports the need to regenerate the Centre.

3. Local consultations on redevelopment/regeneration options for New Ash Green village centre.

3.1. In 2008, a firm of architects were commissioned by the representatives of the biggest landowner in New Ash Green, Piperton Finance, to carry out a community consultation on possible regeneration/redevelopment options for the Village centre.

3.2. The purpose of the consultation was to seek the community's views on three initial design concepts for the village centre drawn up by the architects on behalf of the centre owners. The architects led on the consultation which was facilitated by Sevenoaks District Council's Community Development team.

3.3. The concepts were broad outline ideas showing a range of different options in relation to the balance and location of retail and residential units, parking and landscaping. The concepts were intentionally broad as it was not appropriate to present more detailed plans prior to ascertaining the community's views. The concepts were designed to stimulate ideas and discussion at this early stage with the community's views to be fed into the more detailed consideration about the future of the village centre. The intention was not to ask participants to select just one favourite concept, but to consider the positive and negative aspects of each one to inform the next design.

3.4. The community responded positively to the opportunity to express their views about the future of the village centre. In total, 619 people came to the consultation events with a further 22 commenting on-line. There were almost 1000 written comments submitted during the consultation.

3.5. The consultation suggested three possible concepts, with the intention that the community would identify their likes and dislikes from each one and that the final design would incorporate the best of all three initial ideas. The analysis of the number of comments received showed that Concept A was the least popular overall and concept C was the most popular. Other conclusions:

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- **Parking:** Any regeneration of the village centre will need to take account of current parking capacity and ensure that a sufficient amount of car parking in the village is maintained, including the additional needs of new residents.
- **Housing:** There needs to be careful consideration regarding the type, style and size of residential developments in New Ash Green and all new residential buildings should be subject to the Village Association covenants.
- **Architecture:** Whilst there is a desire for the village centre to be “opened up” and made more welcoming thus reducing fear of crime, there is also a view that a newly built centre should be sympathetic to the existing architecture.
- **The regeneration process:** The regeneration process must be planned carefully to ensure the least possible disruption to important village services and ensure that existing centre residents are consulted and informed.

3.6. The concepts used at the consultation event are shown on the following pages (pages 5-7)

3.7. The consultation and design work followed agreement by all three landowners to work together to regenerate the Centre.

3.8. However, subsequently, the change in the global economy caused the major landowner to withdraw from the regeneration scheme, although retaining ownership.

4. Progress following the consultations:

4.1. After progress on the regeneration scheme was suspended by the landowners in September 2008 and following repeated efforts to clarify the situation, the Council was informed that in light of the current economic climate, the situation regarding the regeneration of the Village Centre was being re-considered by the Land Owners.

4.2. An urgent meeting was arranged by the Council on 1st December 2008 with Land Owners. The meeting was not attended by 2 of 3 of the major landowners. However, the Co-operative did attend together with the architects representing the largest landowner through their managing agent Richmond Lodge.

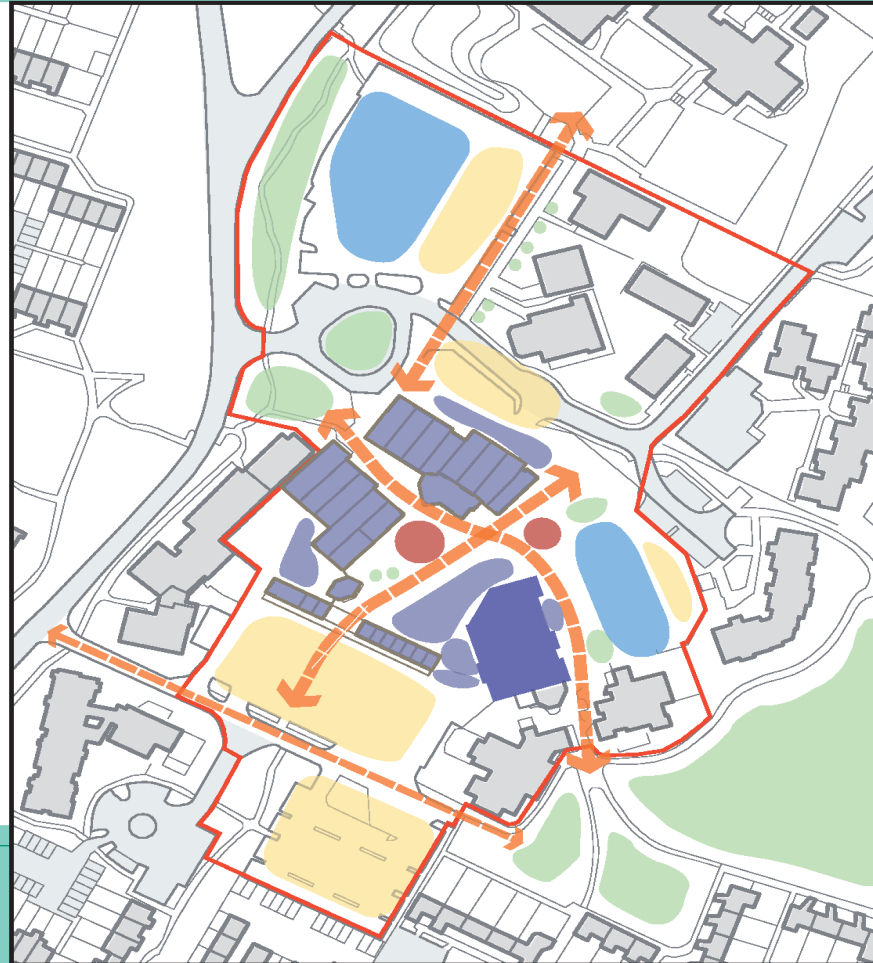
4.3. The council wrote to the landowners on 5th December 2008 to make it clear that the lack of progress at this meeting was a serious disappointment to everyone involved, expressing its very real concern about the future of the village centre, and urging landowners to give a clear indication of intent regarding the future at the earliest date.

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- 4.4. At this stage, the Council was particularly concerned about the lack of regeneration as it was clear from information received by Officers that the continued effects of the economic downturn and the lack of action by landowners was having a significant impact on local businesses and local people.
- 4.5. While the Council continued to press the landowners to set out their intentions regarding the village centre, it was not possible to get a formal co-ordinated response from the landowners to when, and if regeneration plans would recommence. The Council remained pro-active in promoting the regeneration of the village centre.

05 > CONCEPT A

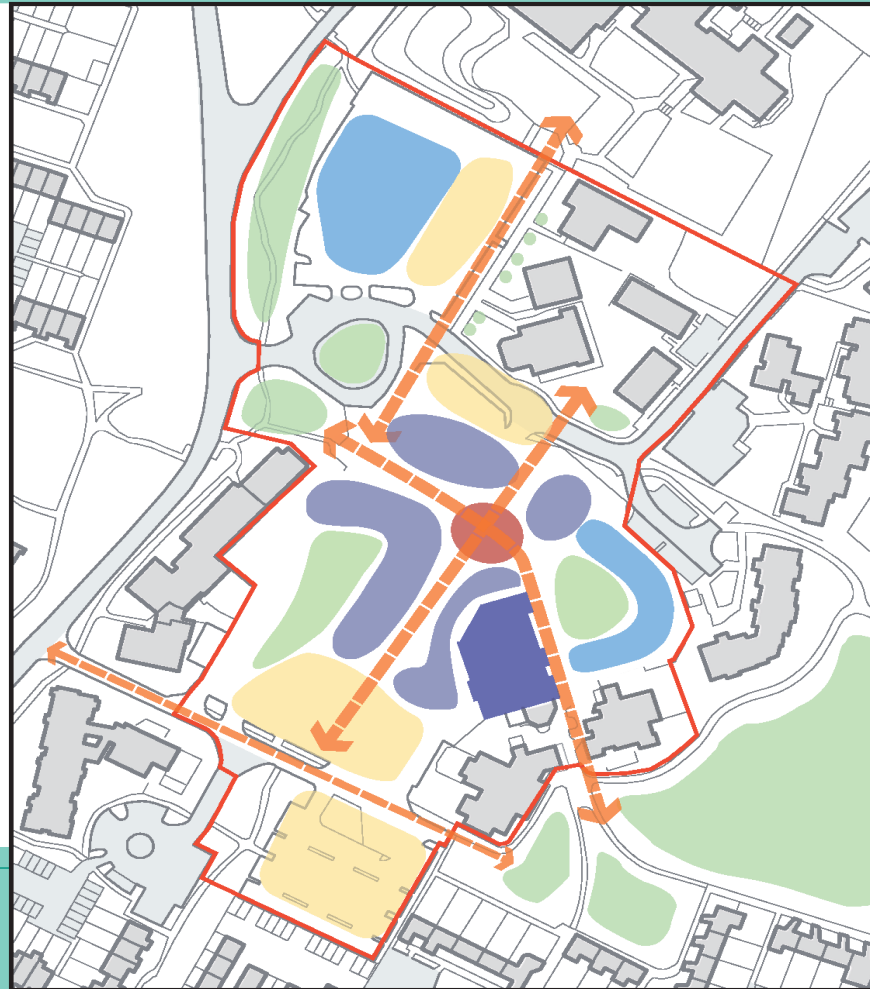
- Some suggested new residential
- Improved pedestrian routes
- Improved landscaping in centre
- Suggested residential to north car park with associated parking
- Suggested parking for school drop-off & community facilities
- Some existing retail units refurbished and extended
- Refurbish existing and/or for new residential above retained retail units
- More open space in the Village Centre
- Retain existing central & south car parking for Village Centre, village Hall & Pub
- Retain and extend existing Co-op with residential above



- Retail
- Existing Co-op
- Residential
- Parking
- Landscape
- Village Centre
- ➡ Pedestrian routes

07 > CONCEPT B

- Suggested new residential
- Suggested new retail units around new village centre
- Some retail with residential to upper floors
- Improved pedestrian routes
- Improved landscaping in centre
- Suggested residential to north car park with associated parking
- Suggested parking for school drop-off & community facilities
- More open space in the Village Centre
- Retain existing central & south car parking for Village Centre, village Hall & Pub
- Retain and extend existing Co-op with residential above

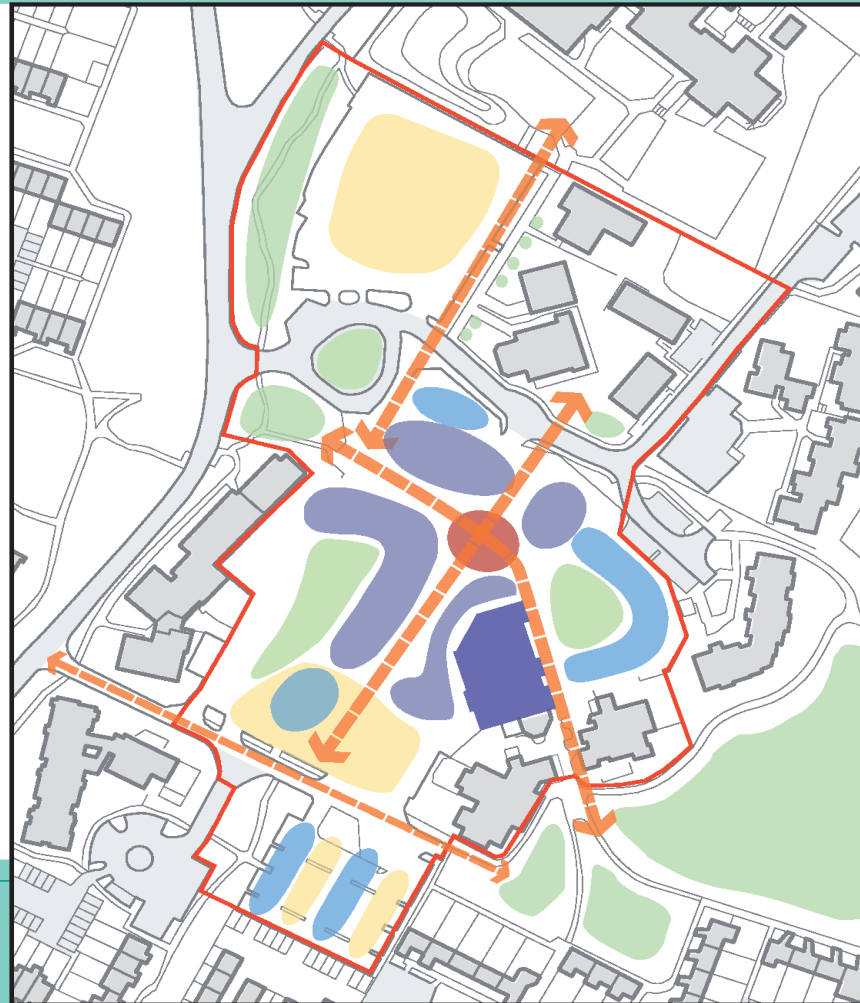


- Retail
- Existing Co-op
- Residential
- Parking
- Landscape
- Village Centre
- ← Pedestrian routes

09 > CONCEPT C

NewAshGreen
RETAIL // RESIDENTIAL // COMMUNITY

- Suggested new residential
- Suggested new retail units around new village centre
- Some retail with residential to upper floors
- Improved pedestrian routes
- Improved landscaping in centre
- Retain car parking to north car park
- More open space in the Village Centre
- Retain central car park for Village Centre, Village Hall & Pub with suggested residential above
- Suggested new residential to south car park retaining vehicular access to neighbouring development
- Retain and extend existing Co-op with residential above



- Retail
- Existing Co-op
- Residential
- Parking
- Landscape
- Village Centre
- ← Pedestrian routes

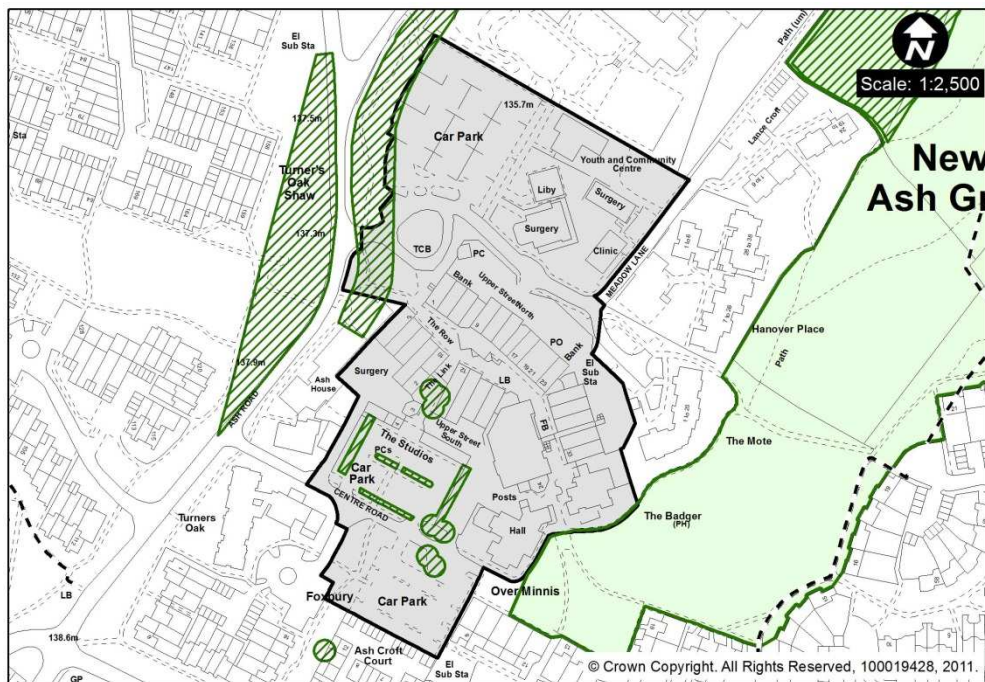
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5. The Local Plan and New Ash Green Village Centre

- 5.1. The council has now put in place the foundations for regeneration of the village centre by including it in the Local Plan. References to New Ash Green are made in the Core Strategy and the Allocations and Development Management Plan. This ensures that should the proposals come forward to regenerate the village centre, planning policies support the process
- 5.2. The Allocations and Development Management Plan (ADMP) was adopted February 2015. In the Plan, New Ash Green Village centre (only as part of regeneration process) has been allocated for mixed use development, by incorporating a residential component. Under ADMP Policy H2, mixed use sites are described as needing to “provide for a range of employment, retail and community facilities in addition to housing types, density, mix and tenure considered appropriate.” The map allocating New Ash Green Village Centre (ADMP Policy H2(e)) is shown on page 9.

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5.3. The Local Plan provides for the centre to be regenerated to provide a mix of retail and business space together with a small number of new homes.

5.4. By including the centre in the Core Strategy, the area should be more attractive to potential developers.

5.5. All housing and mixed use allocations that have been adopted in the ADMP have individual development guidance that developers would have to take into account. This includes access, landscape, design and delivery considerations. The following extract relates to New Ash Green and can be found in Appendix 5 of the ADMP.

Site Address:	New Ash Green Village Centre, New Ash Green	Settlement:	New Ash Green
Ward:	Ash	Proposed Allocation:	Mixed use including residential as part of a regeneration scheme for the village centre
Current Use / PP:	Village centre uses (retail and services, community facilities, parking) and residential		
Development Guide:			
Design and Layout			
<p>New Ash Green village centre will be regenerated and the quality of the environment improved so that it more effectively meets the needs of the community. Development should retain a scale appropriate to the size of the community it is intended to serve and a form that respects the distinctive character of the settlement. Development should achieve a satisfactory relationship with the adjoining housing and open space (The Mote).</p> <p>Proposals should include retail, employment and community facilities and services. Office space should be retained or provided in this central location. An element of residential development (in the form of apartments) should be included as part of the regeneration scheme.</p>			
Landscape			
<p>Tree Preservation Orders apply around the boundary and within the site and development should not result in the loss or harm to any of these trees.</p> <p>The scheme should provide improvements to the local centre public realm.</p>			
Access			
<p>Servicing, parking and access arrangements will need careful consideration once the mix of uses is determined and a Transport Assessment will be required. Parking should be re-provided as part of the scheme, including parking for residential units. The pedestrian environment should be designed to provide a safe and secure access incorporating security measures (such as the public realm overlooked by residential development) to</p>			

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deter crime, the fear of crime and antisocial behaviour.

Infrastructure

Contributions will be required to CIL.

Developers will be required to demonstrate that there is adequate waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water infrastructure.

Delivery - SDC working with multiple site owners to bring forward scheme on site. SDC would like the village centre regeneration to take place as soon as feasible, but the Estimated Development Period indicated below provides a cautious estimate.

Gross Area (Ha):	1.87	Net Area (Ha):	1.87
Indicative Housing Capacity:	50	Phasing	10-15 years (2022-26) (although earlier if feasible)

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6. Environmental Visual Audit (EVA)

- 6.1. EVAs are carried out by the Sevenoaks District Community Safety Partnership and are designed to support activity around the community safety. They include advice from the Police, Kent Fire and Rescue Service and other appropriate partners, including local representatives.
- 6.2. An environmental Visual Audit was first undertaken in New Ash Green village centre in April 2008 as local people had expressed concern about the level of maintenance being undertaken by the owners.
- 6.3. The importance of maintaining the village centre to an appropriate standard of ongoing repair has been stressed repeatedly by the Council. Eight inspections of the village centre were carried out on behalf of the Partnership between August 2008 and December 2010.
- 6.4. Any action available to the council and its partners has been linked to improving the safety of the centre through the Environmental Visual Audit as set out below. The District Council has:
 - Installed 13 state-of-the-art CCTV cameras in the Shopping Centre, replacing the fixed position black and white cameras. The new cameras are visually more discreet than their predecessors and cover most of the centre. They have helped the police to keep the village centre safe.
 - Investigated and responded to alleged breaches of planning control including serving a S215 notice on Richmond Lodge who represented the major landowner, Piperton Finance. The notice required the landowner to take steps requiring land to be cleaned up as its condition adversely affected the amenity of the area.
 - Cleaned up graffiti in the village centre.
 - Investigated health and safety issues. As a result of action taken by Sevenoaks District Council, improvement works in the service yard area to the rear of the shops in the Row were completed. Work carried out included seeking Counsel's advice on Health and Safety at Work issues, a formal request for information under S20(2)(j) and (k) of the Health and safety at Work etc. Act 1974 and service of an improvement notice to Richmond Lodge in respect of the service yard area to Richmond Lodge.

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7. The New Ash Green Town Team 2012-2015

7.1. In 2012, the Council applied for Portas Pilot funding for New Ash Green Village centre, it was awarded £10,000 to be used to promote and encourage more people to use the Village Centre.

7.2. This funding use was specified for community events and activities, branding (including possible signage) and for some minor environmental improvements. The Town Team is facilitated by the District Council. We continue to work very closely with the Town Team, local Members, representative organisations including the Parish Council and the Village Association, local traders, residents and community groups to deliver small yet realistic improvements to the appearance of the centre and to respond to local concerns.

7.3. Underpinning the work of the Town Team are deeply held concerns about the need for the Village Centre to be regenerated and for improvements to be made. The efforts of the Town Team have been supported by continued and ongoing work of the Communities and Business Team in engaging landowners and enhancing the work of the Town Team through securing landowner investment in projects.

7.4. Here are some examples of Town Team successes so far:

- Secured landowner investment from Richmond Lodge and Marcus King (then managing agents to Gableholt) to pay for the purchase and installation of Christmas lights. The responsibility for installing Christmas lights has now been passed onto Richmond Lodge.
- Secured funding from Richmond Lodge to pay for the refurbishment of a planter in the Village Centre
- Installed new signs to direct passing traffic to the Village Centre and free parking
- Undertook dog fouling initiative in partnership with the Council's Environmental Health Team.
- Contributed to the planning of a successful "Christmas Magic" in New Ash Green event.

8. Christmas Magic Event – 13 December 2014

8.1. We supported and delivered a successful Christmas Magic in New Ash Green event and ensured that bringing increased trade to the Centre was a central element of event. The event was the Council's first Christmas community event and attracted over 1000 people to the Village Centre.

8.2. We successfully negotiated a cash and in-kind contributions towards the event from Richmond Lodge. They also agreed to the use of space within the car parks in the New Ash Green for events to take place and provided staff support on the day.

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- 8.3. Anecdotal evidence suggests that some local traders more than doubled their normal takings. Amber Markets, who facilitated market stall on the day, reported that some market traders sold out during the event and requested to be involved in future events.
- 8.4. Thank you's and positive comments received from local members, traders and residents reflect how positively the event was viewed.

9. Landowner Engagement 2013-2015

- 9.1. The Council adopted a new strategy for engaging landowners. In particular, Mr. Jassat from Richmond Lodge (representing Piperton Finance) has been able to use an Officer as a single point of contact for all enquiries with the Council. This has resulted in dramatically improved relationship with Richmond Lodge and has led to significantly improved communication. It has also meant we have been able to secure contributions from the landowner for Council and Town Team activities in New Ash Green.
- 9.2. We have continuously engaged landowners in New Ash Green. In the last two years our considerably improved relationship with landowners has enabled us to facilitate meetings between representatives of Piperton Finance, District Council Officers and Local Members:
- 29 April 2014
 - 6 August 2014
- 9.3. In April and May 2015, we arranged site meetings between the Head of Property and Economic Development and Richmond Lodge. This allowed them an opportunity to set out their plans for the site. They also confirmed their intention to engage a firm of architects to produce a masterplan for the Village Centre. A site meeting was also arranged for the Head of Property and Economic Development to meet with a representative for Gableholt, the second largest landowner.
- 9.4. In May and June 2015 we made links with the Co-op through their new Estates Surveyor for the South East. In June this year we successfully opened a dialogue between the Co-op and Richmond Lodge.
- 9.5. In May 2015 a firm of Architects confirmed that that they had been appointed by Richmond Lodge to produce a master plan for the Village Centre.
- 9.6. The appointed Architect was also previously employed during the consultation stages and managed their input to consultations about regeneration concepts with local residents in 2008.
- 9.7. We have ensured that the Architects still have access to all previously held consultations and planning policy materials.

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10.Environmental Health

- 10.1.Environmental Health has received several complaints both directly from Mrs. Barnard (lead Petitioner) and via the Community Safety Unit. The majority of the complaints received by Environmental Health Team concern pigeons living throughout the Village Centre and accumulations of droppings.
- 10.2. The Environmental Health Team has very limited powers to deal with pigeons within the Centre. Pigeons are not considered a public health pest in law and we have no statutory powers to require that land owners and occupiers take steps to either pigeon proof their properties or remove the birds. Officers from Environmental Health have regularly visited the Centre and it is considered by us that although accumulations of droppings are sometimes present (particularly after the weekend) they are generally dealt with efficiently by the caretaker. The amount of droppings we have seen is also considered to be of a similar level to that seen in other urban shopping areas elsewhere in the district.
- 10.3. Owing to the construction of the Centre there are a large number of roosting surfaces and although some efforts have been made by individual property owners and occupiers it is impossible to entirely prevent pigeons in the Centre.
- 10.4. Environmental Health has limited powers to deal with pigeons and droppings inside office and shop units as a statutory nuisance (accumulation). An Officer in the team is currently dealing with the representatives of Gableholt regarding pigeons which have entered at least one unit in Upper Street North. This matter was brought to our attention by Mrs. Barnard who can see the problem from her property (but is not directly affected by a statutory nuisance). Officers have been liaising with the managing agent directly and have been advised that contractors have been employed to remove the pigeons and seal the entry points.
- 10.5. Environmental Health arranged to meet the caretaker in order to undertake an inspection of the area in July 2015.
- 10.6. They found no evidence of an ongoing rat infestation at New Ash Green Shopping Centre. The last complaint about rats received concerned units operated by the Cooperative Group in April 2013. At that time Environmental Health arranged to access each of the units alleged to be infested by rats (in Upper Street South) and found no evidence that this was the case. The rat traps referred to by the petition are bait stations/ boxes put in place by the Co-ops pest contractor in 2013. Bait stations pose no public health risk and are a preferred method of pest contractors to safely treat rats.
- 10.7. The Council's Commercial Team has advised that they do not have any concerns about rats affecting the food businesses at the Centre and have received no other complaints. However in light of the allegations raised by the petition an Officer revisited the area on 6 July but did not find further signs of rat infestation (particularly around the bus stop area).
- 10.8. Following a site inspection of the pigeons within the units 18 to 27 in Upper Street North, New Ash Green Shopping Centre undertaken on 14th July 2015

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Environmental Health confirmed that Gableholt have removed the pigeons, cleaned the bird faeces and sealed the access points to the units.

11.Planning Enforcement

- 11.1. In 2008 the Council identified 17 The Row and 10A Upper Street North as unacceptably untidy sites whose condition warranted attention. Through negotiation the owner addressed this situation such that the improvement was not deemed sufficiently poor to be able to substantiate formal action.
- 11.2. In 2009 2, 6 and 8 The Row were deemed to have become unsatisfactory in terms of their appearance and condition. A formal Notice was served under Section 215 Town and Country Planning Act 1990 (as amended).
- 11.3. In 2013 land to the rear of 6 The Row was recognised as being unacceptably untidy. Negotiation was undertaken and the breach rectified such that the land was no longer in such a state as to allow formal action to be undertaken.
- 11.4. In 2013 the Council also became aware of the use of 25 The Row as a café without the requisite planning permission in place. The owner was contacted and the breach ceased without formal action being required.
- 11.5. During 2013 and 2014 a number of unauthorised advertisements for Clocktower Gym had been displayed in various locations. The display of advertisements without the required consent is one of the few issues that are a criminal offence however before proceeding with a prosecution the Council would be expected to demonstrate that the “offender” has been given an opportunity to address the issue. In this case, following advice from Council Officers, the offending advertisements were removed.
- 11.6. The Council has recently identified a number of areas within the Centre that we feel need to be improved. The owner has been written to formally to advise that this is the case and a notice was served on 16/7/15 and came into effect on 17/8/15. Compliance is not due until 17/9/15.
- 11.7. The architect appointed by Richmond Lodge has stated that it is their intention to submit a planning application to remove the canopies in the village centre rather than repair existing broken canopies which is stipulated in the notice. At the time of this report a planning application to remove the canopies has not been received by the Council.

12.Planning Applications

- 12.1. Planning applications were submitted by Richmond Lodge on 14/03906 submitted on 16.12.14 (Granted 18.03.15) and 14/03844 submitted 09.12.14 (Granted 26.05.15)
- 12.2. These were in respect of 3-5 Upper Street South and 2A,B and C Upper Street South for conversion of storage units to flats for residents'

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13.Recent Developments August 2015

13.1. There have been a number of recent developments in New Ash Green during August 2015.

13.2. The Architects have now stated that they have a formal agreement in place with Richmond Lodge (acting as agents on behalf of Piperton Finance) and they plan to commence studies with a view to producing a master plan for regeneration in New Ash Green. We have been informed that this will involve site visits, studies and discussions with local businesses during August/September 2015

13.3. In view of this, the Council facilitated a meeting which took place on 5 August between representatives of the Co-op and Richmond Lodge (representing Piperton Finance) in New Ash Green. The key action points agreed at the meeting are as follows:

- That the Estates Surveyor (South East) for the Co-op should arrange to meet the architects in their London Offices at the earliest opportunity.
- Both Richmond Lodge and the Co-op agreed that a workshop would be a positive step forward and undertook to send representatives to such a workshop.
- It has been suggested that the District Council would be willing to host a meeting with all three landowners in neutral territory at the Council Offices, with a suggested date of the beginning of October. Richmond Lodge and the Co-op agreed that this was a good idea and that they would be willing to attend.
- The Council and representative for Richmond Lodge have now made contact with the new managing agents for the phase 2 landowner, Gableholt. Gableholt have appointed new managing agents to represent their property interests and new strategic managing agents. The Council have held encouraging meetings with the property agents.