

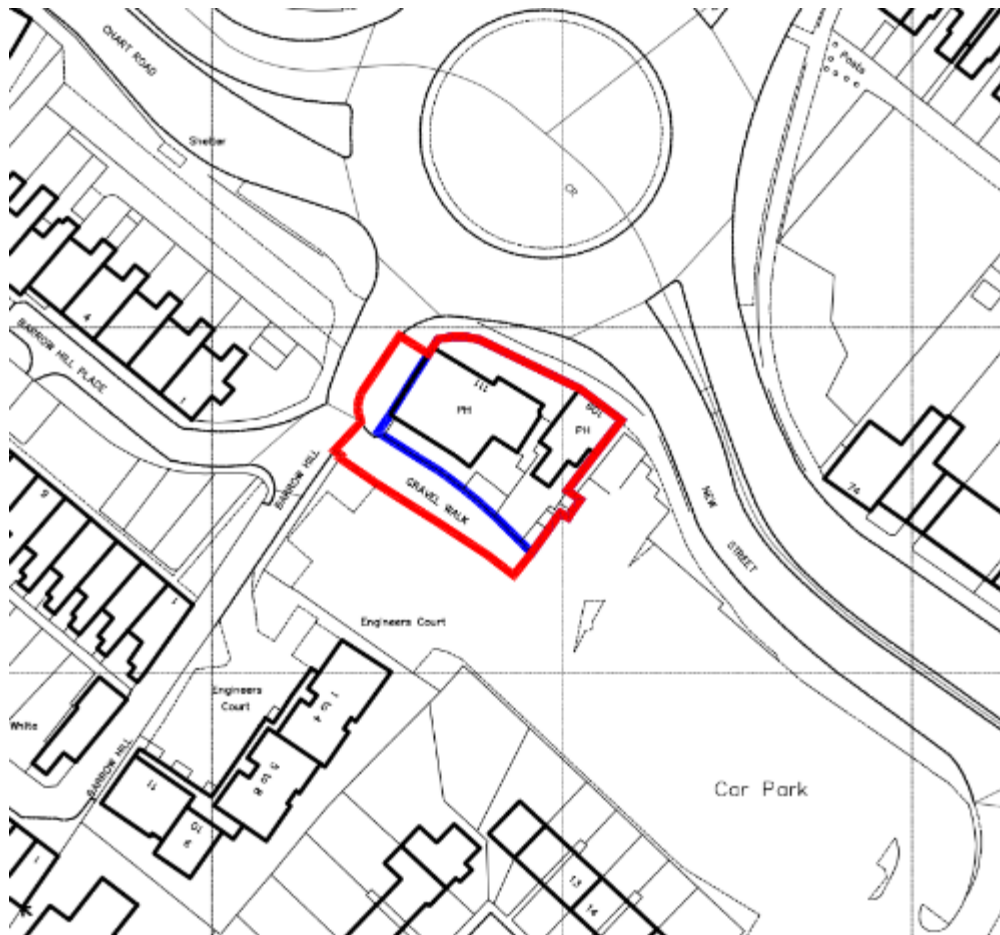
Application Number	17/01118/AS	
Location	Prince Albert, 109 New Street, Ashford, Kent, TN24 8TP	
Grid Reference	00602/43032	
Parish Council	None	
Ward	Godinton (Ashford)	
Application Description	Demolition of existing public houses and associated buildings and erection of a five storey apartment building containing fourteen 2 bedroom units and 84m ² of commercial space at ground floor level including 14 car parking spaces, refuse and cycle storage and a vehicle layby.	
Applicant	Whitehaven Estates Limited, Henwood House, Henwood, TN24 8DH	
Agent	Lee Evans Partnership, St. Johns Lane Canterbury Kent CT1 2QQ	
Site Area	820.00sqm (0.2 acres)	
(a) 28/15S/5+/33R+ 15Petition 2nd round of consultation 28/1S/22R+ 15Petition	(b) -	(c) KCCEX/ RAM1X/ KCCD X/ CACF R/EA -/ KHS X/ PROW X/ Georgian Group X/ KCC Economic Development X/KHS 2nd round of consultation KCCE XKHS X / KCCD X/

Introduction

1. This application is reported to the Planning Committee as it involves the construction of more than 10 dwellings and is therefore classified as a “major” development that requires determination by the Planning Committee under the Council’s scheme of delegation. It is also considered to be sensitive due to the potential regeneration importance of the scheme for the Town Centre.

Site and Surroundings

- The existing Prince Albert Public House lies North West of Ashford Town adjacent to the New Street roundabout. To the east lies the car park for Lidl's.



SITE PLAN

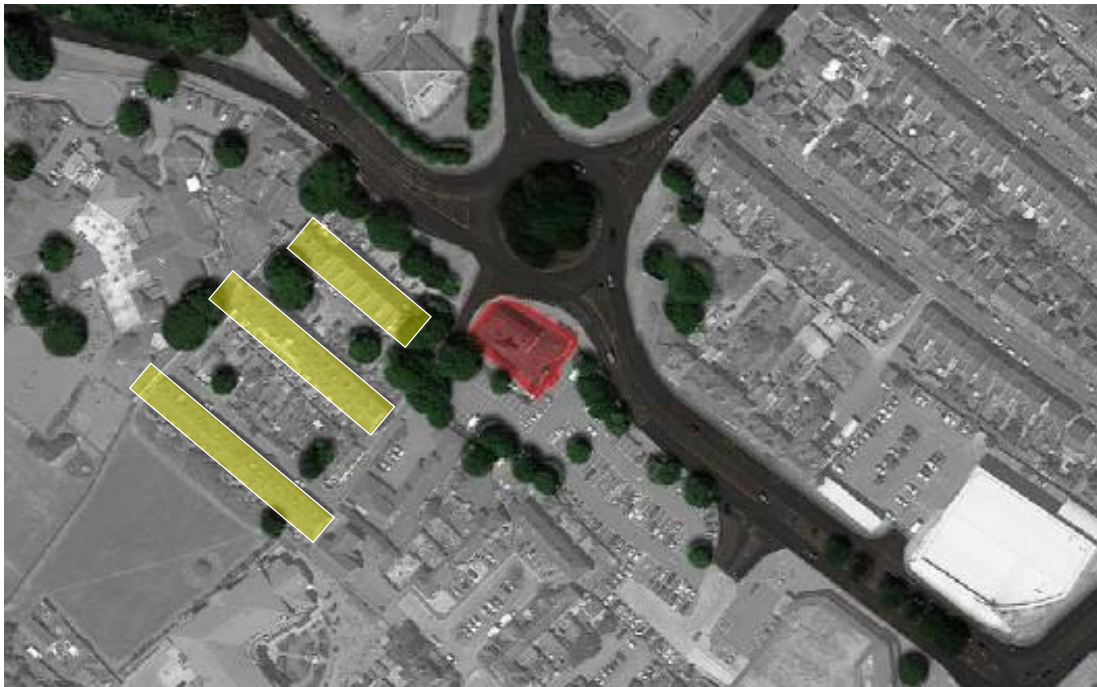
- The proposed site lies to the east of two streets containing three rows of terraced dwellings. This area is known as 'Barrow Hill' and consists of a row of two and three storey terraces. All of these dwellings are grade 2 listed.



These terraced dwellings grade up in scale northwards from two storey small cottages to three storey terraces and the tallest grand 3 storey terraced block nearest to the main road in New Street, which is closest to the site. A number of mature trees exist in this area.

4. Also defining and dominating the immediate site context is one of the main roads in and out of town, which is a large dual carriageway and a roundabout serving 5 inter connecting roads. Offsetting this is the relative 'greenness' of the area as shown in figure below. This includes several mature trees in Barrow Hill as well as dense tree planting on New Street roundabout and adjoining roads.

SITE CONTEXT SHOWING SITE, LISTED TERRACED HOMES AND MATURE TREES



5. The red line boundary of the site predominantly follows the edge of the existing building and small curtilage to the rear and sides. To the south of the site is Gravel Walk, an existing adopted highway that originally ran into the town centre until the supermarket and car park was developed over it. A small section of Gravel Walk remains despite the road now being blocked off, and it has been informally used by the pub as a parking area for many years. The proposals intend to retain Gravel Walk in its current status as a highway, to provide access to the site.

6. The site is compact at just 0.2 acres (820 sq.m). It contains two linked 2-storey buildings which were last used up until 2008 as a public house called The Prince Albert. Parts of the buildings date from possibly as far back as the late C17th when it was multiple dwelling with a beer house attached. It is also believed that a hostelry named The Fountain was located on the site originally. Census records indicate that a beer house existed here in 1871 and



the building gradually became a unified public house possibly through much of its custom being generated from the local army garrison who lived and worked nearby.

7. For many decades this building operated as two separate public houses one of which was called the Prince of Orange (111 New Street). The building was listed as a Grade 2 structure in 1976. The photos from the mid 1980's show the two pubs standing side by side with Prince Albert being the smaller of the as shown in photo below.



PRINCE ALBERT & PRINCE OF ORANGE PUBLIC HOUSES (mid 1980's)

8. Around the turn of the millennium an extension was added to link the two buildings and it was merged into just one pub retaining the Prince Albert name (109 New Street). The pub closed in 2008 and has remained empty since. A serious fire occurred at the premises in 2014, and Historic England de-listed the property in 2016 citing reasons including; the lack of special historic interest of a national context; the loss of historic divisions; the loss of the internal historic fabric; the degree of insensitive modern alterations; and that no original fixtures and fittings of interest remained.
9. The building currently consists of a range of materials including painted stucco, clay tile hanging, slate and Kent peg tile roofs. The building is in a poor condition following the fire in 2014 with the main damage appearing to have been to the roof which is missing many tiles and slates leaving many timber roof rafters visible and exposed to the weather. A temporary blue tarpaulin covers part of the roof structure.
10. The site is currently surrounded by a metal herras security fencing to prevent unauthorised access to the building which has recently been subject to vandalism and anti social behaviour.
11. In Gravel Walk, immediately beyond the south and east boundary of the site on the Lidl car park is a 2m high permanent security fence with spiked finish on top. A brick wall along Barrow Hill adjoins this fence running from the south west corner of the site. Some semi mature overhanging trees are located in the car park which overhang the permanent security fence and part of Gravel Walk.

Proposal

12. Planning permission is sought for the demolition of the existing former public house and associated buildings and the construction of a five storey apartment building containing fourteen 2 bedroom units and 84m² of commercial space at ground floor level. 14 car parking spaces, refuse and cycle storage and a vehicle layby are also included
13. The proposed development would not include any affordable units as the current Planning Policy position is that schemes of under 15 units are exempt from providing affordable housing.
14. Gravel Walk is to be retained as a highway and will provide the access to the residents' parking spaces. Fourteen parking spaces are provided in total. 6 car parking spaces are proposed as perpendicular bays directly off Gravel Walk, and the remaining 8 are proposed beneath the proposed building. The extension of the boundary along Barrow Hill frontage means that Gravel Walk will feel like a partially enclosed secure courtyard. Residents can access the building from the covered parking area or from New Street through the principal entrance.



GROUND FLOOR PLAN

PROPOSED SITE LAYOUT & GROUND FLOOR PLAN

15. Parking and access defines the location of the new building on the site, which is tight to the boundary facing New Street roundabout. The general massing and principal arrangement of the accommodation has been defined by the inclusion of four apartments per floor across the first, second and third floor levels, and two apartments at fourth floor level which in places are more recessed. The ground floor is noticeably different to floors 1-3 and the top floor is different again with the set back more obvious when viewed from the side and rear elevations.
16. Four apartments are placed in a U-shaped arrangement around the east, south and west facades of the building taking advantage of good orientation and providing dual aspect as much as possible (3 of 4 apartments). North facing balconies have been avoided with each apartment having a southerly outlook with private external spaces that have good sun exposure for the majority of the day – thus ensuring their proper use.
17. At fourth floor level the remaining two apartments are placed around the central vertical access in a smaller building envelope. It is intended that these two apartments provide improved and larger accommodation with access onto large balcony deck areas.

18. The architectural form is based on three main elements including ;
- The Base
 - A Floating Clad Box
 - Featurette Balcony Boxes
19. Each façade will have a subtly different architectural response combining a palette of materials based on the following:
- The base includes a mix of ragstone and glazing plus some service doors
 - 4 storey corner featuring a high quality buff creamy yellow/brown brick to compliment the bricks seen in Barrow Hill Terraces. The area has a precedent of the red and yellow brick mix.
 - Floating clad box: a contemporary material of fibre cement panels is proposed to the floating clad box. Fibre cement slate panels to roof and façade to replace the originally proposed Trespa replica wood panel to the front facade. The slate relates to the material palette of the surrounding context. The slate panels have a varying colour effect similar to natural slight that will reflect the sunlight and add a constant change of appearance depending on approach, seasonal change and lighting conditions.
 - Cream/yellow stock brickwork taken to the ground level to the corner of the commercial unit to the ground the building.
 - Horizontal boarding will be punctuated with vertical seam lines that tie in with window openings, ridge and valley positions.
 - Cembrit Fibre Cement panel system to replace the originally proposed Trespa boards. The Cembrit panels are arranged in varying sizes relating window and balcony openings.
 - The envelope of the rear projections are proposed to be in the Pearl colour, similar to the Trespa cream. The central balcony bases are to be the flint which relates to the main slate facade.
 - Featurette balcony boxes: these are to use a fibre cement cladding board in white to enhance and provide bright day lighting to the balconies.
 - Wooden Louvered panels to the corner balconies to minimise the overlooking to neighbouring properties.

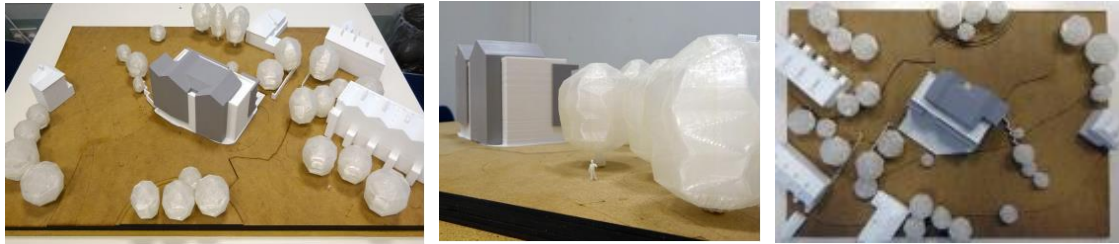
The following materials palette has been submitted.



20. Design Evolution - Officers were engaged in discussions with the applicant at an early pre-application stage. Initially ideas for a the redevelopment of this scheme looked at a L-shaped building footprint which extended right across onto Gravel walk up to the South boundary with an access beneath the building lading to the rear. It was just 4 storeys tall with a 3 storey form extending further along Barrow Hill. It featured the same number of units (14) and a much larger commercial area ta ground floor plus 14 car parking spaces. The dominant building materials were a perforated metal cladding and buff coloured brick.



21. Officers were very enthused by the scheme and were involved in giving some ideas on relatively modest improvements to the layout and public realm and how to improve main façade treatment to create a more pronounced rhythm and stronger roof pitch angles to enhance the contemporary form and make it more distinctive and dynamic.
22. However despite the support and efforts of Ashford Borough Council and Kent County Council Highways, it proved impossible to develop across Gravel Walk which was found to be a designated highway. The short section of road was never stopped up when New Street was widened and therefore still had established right of way over it. As neither ABC or KCC had any records to confirm who presently owned the land it was felt to be to very problematic to seek legal authority to build on this land.
23. Consequently a scheme was drawn up with a smaller footprint. An extra storey to deliver achieve the same number of 14 flats to raise it to 5 storeys. A physical model of the site in its context was created by the applicant's team which helped to really explore the issues and understand the concept and enabled a rigorous dialogue on the skilful design that was taking shape.



24. Further iterations of the scheme took shape on exploring the 5 storey form. The design was based on a simple footprint with a clever stepped approach to the massing. A more conservative frontage with dominant gables and a slack roof pitch and timber style cladding was explored by the architect. The inclusion of balconies focussed on exploiting the southern orientation of the building and helped to animate the rear elevation.



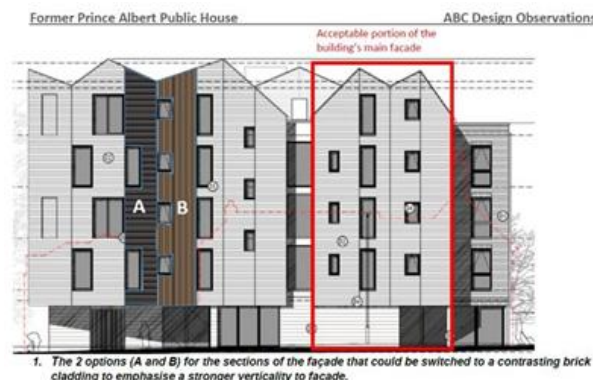
25. Further work and discussions over the design of the façade and suitability of materials continued. The architects were encouraged to explore introducing a more interesting roof pitch and alternatives to timber as the maintenance on a 5 storey building was a concern.



26. Proactive changes to internal arrangements and improvements to the façade design were explored and the scheme went to design review in April 2017 (see annex 1). It was very well received. The key design issues raised by the Design Panel included

- An analysis of the context was well considered.
- Scale and massing was appropriate.
- The articulation breaks down the mass successfully
- Form and materials respond to context and are appropriate
- The areas where the comments of the panel lead to improvements in the design
- Internal configuration of stairwells
- Materials should define the entrance to flats to make it stand out from commercial unit more.
- Orientation of balconies.
- Explore more planting to rear of site.

27. Further changes and ideas to create a stronger pitch and more interest to the roof of the main façade and to break up the flatness of the front elevation with recessed architectural detailing, more glazing and decoration and different material options and combinations were discussed to help enliven the facade.



28. The application was submitted in July 2017 and ongoing discussions have continued since to ensure ABC achieve a high quality design for the building.
29. Following negotiations on the submitted application changes to the design and materials on the elevations were received which included:
- Arrangement of roof form to relate to the roof scape submitted for pre-application. Pitched raised above the end terraces to enhance the visual impact of the proposal when approaching from the town centre.
 - Window recesses to add continuity to the window arrangement and add detail end facade
 - The introduction of a secondary recessed window to break the overall mass and bulk of the main facade creating three gable forms
 - Louvered panels to the corner balconies to minimise the overlooking to neighbouring properties
 - Brickwork taken to the ground level to the corner of the commercial unit to the ground the building.
 - Sliding gate to the bin store to replace outward swinging door, car park entrance wall reduced in height
 - Fibre cement Slate panels to the replace the originally proposed Trespa wood panel.
 - Cembrit Fibre Cement panel system to replace the originally proposed Trespa boards. The Cembrit panels are arranged in varying sizes relating window and balcony openings
 - External works – Improvements to include block paving to residential / commercial entrance, public footpath on Barrow Hill and undercroft car parking and Tactile paving to the front to be replaced with Grass planting

Cembrit Fibre Cement panel system to replace the originally proposed trespa boards. The Cembrit panels are arranged in varying sizes relating window and balcony openings. The envelope of the rear projections are proposed to be in the Pearl colour similar to the Trespa cream. The central balcony bases are to be the flint which relates to the main slate facade.

Wooden Louvered panels to the corner balconies to minimise the overlooking to neighbouring properties as requested by the planning officer Mark Chaplin during a meeting on the 21st September 2017

Brickwork taken to the ground level to the corner of the commercial unit to the ground the building

Sliding gate to the bin store to replace outward swinging door, car park entrance wall reduced in height as per KDC Highways comments received on 21st August 2017



VIEW FROM BARROW HILL TO THE CORNER OF THE PROPOSAL

**VIEW OF AMENDED SOUTH WEST CORNER
(FACING TOWARDS LISTED BUILDINGS IN BARROW HILL)**

Arrangement of roof form to relate to the roof scape submitted for pre-application. Pitched raised above the end terraces to enhance the visual impact of the proposal when approaching from the town centre

Fibre cement slate panels to replace the originally proposed Treca wood panel. The slate relates to the material palette of the surrounding context. The slate panels have a varying colour effect similar to natural light that will reflect the sunlight and add a constant change of appearance depending on approach, seasonal change and lighting conditions

Window recesses to add continuity to the window arrangement and add detail end facade

The introduction of a secondary recessed window to break the overall mass and bulk of the main facade creating three gable forms



**VIEW – AMENDED VIEW OF MAIN NORTH ELEVATION
(FRONTING ONTO NEW STREET)**

Supporting documents:

Design and Access Statement:

30. The Design and Access Statement states that prior to any detailed proposals being developed, a development brief was provided by the client that was also influenced by early discussions with Ashford Borough Council. It stated that the building should achieve the following.

- A mixed use scheme with commercial premises at ground floor and residential above.
- 14no. 2 Bedroom (4 person – 70m²) apartments.
- 14no. Parking Spaces for residents
- Residents’ facilities including lift, cycle storage, waste storage.

31. The proposed building can be broadly considered as having three key massing elements:

- The Base intended to be a simple rectangular mass that respects the proportions and scale of the adjacent 1-5 Barrow Hill Terrace by proposing a similar parapet height, depth and width.
- Floating Clad Box - A fifth storey is required to achieve the required accommodation. The design proposes a floating clad box that sits on and in front of ‘the base’ and extends ridge lines higher to provide the necessary building envelope. The formation of the ridge line is intended to

be a playful nod to the roofscape of 1-5 Barrow Hill Terraces without directly copying it.

- Featurette Balcony Boxes - the proposal includes southerly facing balconies which are intended to break up the mass of 'the base' respecting the dominant and strong façade of 1-5 Barrow Hill Terrace.

Form & Materials:

- The Base a high quality yellow brick is proposed to compliment the red brick seen in Barrow Hill Terraces. The local area has a rich precedent of the red and yellow/buff brick mix. It is intended that this will ground the building by being familiar but not competing with any of the existing materials found in Barrow Hill.
- Floating Clad Box A contemporary material of fibre cement boarding is proposed to the floating clad box. Horizontal boarding will be punctuated with vertical seam lines that tie in with window openings, ridge and valley positions. The finish of the fibre cement boarding will mimic a cedar wood finish but has been chosen for its increased resilience to potential dirt from the main road and reduced maintenance requirements. Window openings within this cladding will have a bold blood red cheeks and soffits animating the appearance of the building as people move around it.
- Featurette Balcony Boxes Breaking up the mass of potential brickwork on the rear and rear corners of the building are the featurette balcony boxes. These are to use a fibre cement cladding board in white to enhance and provide bright day lighting to the balconies. As the image below shows, it is proposed that slithers of the main cedar type cladding material is used on the balcony boxes to play with verticality and horizontality.

Planning statement:

32. The planning statement states that the NPPF sets out the core planning principles to guide development one of which is to drive and support sustainable economic development and to respond positively to opportunities for growth. Paragraph 7 of the NPPF outlines the three dimensions of sustainable development as being economic, social and environmental. The proposal meets all of these criteria.
33. The introduction of 14 additional dwellings will enhance the vibrancy of the community. The building will provide quality market housing that will provide options for renters, commuters, first time buyers and downsizers. The residential units will also help to contribute to Ashford Borough's 5 year housing supply deficit. Therefore, the development addresses the social and economic facets of sustainability.
34. Development is also required to contribute to the protection and enhancement of the natural, built and historic environment. The building has been sympathetically designed to sit as a feature building on a key corner of the

approach into Ashford while complimenting the adjacent listed buildings. While the proposal involves the loss of a formerly listed building the building has been delisted and is a dangerous eyesore that impacts on the amenity of the neighbouring dwellings. Improvement to the public realm in this area will also help to enhance the area and provide a keystone building on an important entrance into Ashford Town centre that compliments local townscape and historic settings.

Heritage Assessment:

35. The Heritage Assessment states that the provenance of No. 111 as an early 19th century building is questionable and it is more likely that the building is mid-19th century in origin. A mid Victorian dating would reduce its significance as a listed building.
36. Before the fire the building had few historic or architectural features which could be considered as of special significance and I wonder if its history was understood at the time of listing and the building inspected internally would it have met the threshold for listing? It could be argued even as a mid-19th century public house it does have local cultural significance and has significance as part of a historic group of buildings in Barrow Town.
37. The fire has badly damaged the building, and the subsequent vandalism and water has further degraded the structure to a point where it is likely it would need complete or very extensive rebuilding which would dramatically reduce its significance further if it remains listed. The theft of the front door casing which was the most significant architectural feature has further reduced the significance of the building.
38. The door casing and building fabric could be rebuilt but Heritage Assets once lost can never be truly replicated. The patina of age is impossible to reproduce, and if the pub was to be rebuilt it would be little more than a pastiche now of the original building.
39. The Heritage Statement concludes by saying that there is now too little remaining significant fabric to pass the threshold worthy of being included in the National Heritage List.
40. Heritage Collective Assessment: Heritage Collective Assessment No. 111 is a listed building and, although integrated with No. 109, the indications are that the listing excludes No. 109. The rear extensions on Gravel Walk could, however, be regarded as included in the listing.
41. Although dating from the c. mid-19th century, in the period between 1843 and 1853, the building(s) at No. 111 are of limited inherent architectural and historic interest and it is questionable whether the building in its present state does in fact satisfy the criteria for inclusion on the list. On this basis, a case for delisting can be prepared and submitted to English Heritage (who would make a recommendation to the Department for Culture Media and Sport, who would decide the application on behalf of the Secretary of State).

42. No. 109 dates from the same period as No. 111, although the frontage was added later, in between 1853 and 1871. The frontage is not of great architectural merit or significance but nevertheless pleasant and the building forms part of the history of the area, in particular a residual part of New Street; as such it can be regarded as a non-designated heritage asset.
43. If No. 111 were to be de-listed, the building could still be regarded as a non-designated heritage asset. If not, the normal statutory requirements would apply in terms of proposals affecting it, including listed building consent for internal and external alterations, and consideration of its setting.
44. It is premature at this stage to comment on the benefits of a proposed redevelopment, although it seems likely that both buildings would be regarded as heritage assets (assuming No. 111 is de-listed) and therefore would require consideration in the overall planning balance. The fact that the buildings have stood vacant for several years indicate that there is a viability issue and this may help to pave the way for beneficial redevelopment of the site.
45. Acoustics Assessment: The acoustic assessment states that it is considered, that development of the site may be acceptable in terms of noise, provided that the following issues are considered: Level in external amenity areas (balconies) will all be below the upper guideline limit presented by BS8233 of 55dBLAeq,T. The glazing specification will need to ensure that the internal noise levels detailed in Section 2.3 are not exceeded. Alternative ventilation in the form of a whole house system or other specialist system will need to be installed to provide rapid ventilation and the installed unit/units must not give rise to an increase in internal noise levels over the desired internal noise level values.
46. The results of the assessment indicate that the site will be suitable for development as residential accommodation, subject to the proviso that suitable attention is paid to the glazing specification and ventilation strategy. It is concluded that there are no further reasons on noise grounds why the proposed development should not be granted permission.
47. Historic England Assessment: Historic England De-Listing: Historic England assessment states that following your application to remove the above building from the List of Buildings of Special Architectural or Historic Interest, we have taken into account all the representations made and completed our assessment of the building. Having considered our recommendation, the Secretary of State for Culture, Media and Sport has decided to remove The Prince of Orange Public House from the List of Buildings of Special Architectural or Historic Interest.
48. Historic England assessment confirms that after examining all the records and other relevant information and having carefully considered the architectural and historic interest of this case, the criteria for listing are no longer fulfilled. It

is recommended that the Prince of Orange, 111 New Street, Ashford is removed from the List.

49. The Prince of Orange, 111 New Street, Ashford, a public house with late-C17 origins, much altered and badly damaged by fire, is recommended for removal from the List for the following principal reasons:
- Loss of fabric: following a fire in 2014 and subsequent vandalism, the building has lost many of its significant elements, including part of the roof structure, the southern part of the central ranges, window joinery and the C18 Tuscan doorcase and fanlight, to the detriment of its architectural and historic integrity;
 - Plan: the ground floor has lost its historic divisions due to modernisation so that the plan form is no longer recognisable;
 - Internal survival: other than some ground-floor ceiling beams and partial remains of one C19 brick fireplace in the earliest part of the building, the building does not retain any historic fabric or pub fittings of special interest;
 - Degree of alteration: modern single storey additions to the rear and the incorporation of the adjoining Prince Albert pub have had a cumulative impact on the character and legibility of the historic building;
 - Historic interest: one of many pubs on New Street which developed to cater for the Army garrison in the town in the C19, the building has no claims to special historic interest in a national context.
50. Defects and reports assessments: The defects and reports assessment states that the listed building (Prince of Orange) has suffered the majority of the fire damage and the water damage and the smoke damage and has collapsed from roof level through to the 1st and ground floors.
51. The lack of lateral restraint formerly provided by the floors and the roof have made the walls structurally unsound and crack have started to appear in the brick walls.
52. The listed part of the building is beyond reasonable repair and should demolished.
53. The mid-section (Prince Albert) of the building has suffered from the fire damage and the water damage and the smoke damage and has collapsed from the 1st floor.

Planning History

98/00953/AS - Alterations to entrance and internal alterations and refurbishment
O'Briens, 111 New Street, Ashford, Kent, TN248TP PERMITTED

98/01496/AS Extension to side to form new entrance to internal alterations Prince
Albert, 109 New Street, Ashford, Kent, TN248TP PERMITTED

01/01744/AS Partial demolition of single storey flat roof building to side/rear, external alterations and new boundary treatment. O'Briens and Prince Albert, 109/111 New Street, Ashford, Kent, TN24 PERMITTED

01/01745/AS Partial demolition of single storey flat roof building to side/rear, internal and external alterations, new boundary treatment and new signage. (Listed Building Consent). O'Briens and Prince Albert, 109/111 New Street, Ashford, Kent, TN24 GRANTED

EN/15/000555 - Section 215 Untidy Land Notice Served on owners

Case Number: 1434113. Case Name - De-listing: The Prince of Orange Public House, 111, New Street, Ashford, Kent. Historic England has been asked to consider de-listing the Prince of Orange Public House, No. 111 New Street, Ashford. DECISION – DE-LISTING AGREED (6th May 2016). (see annex 2)

Consultations

The following consultation responses have been received in connection with the original scheme. Additional comments are also set out for the amended scheme.

Ward Members: No comments received.

Environment Agency: No objections

Kent Ramblers: No objections

KCC Development Contributions (Economic Development)

54. The county council has assessed that the implications of this proposal in terms of the delivery of its community services and is of the opinion that it 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.
55. To mitigate the impact of this development, the County Council will need to provide additional library books to meet the additional demand to borrow library books which will be generated by the people residing in these Dwellings. The County Council therefore requests £48.02 per household to address the direct impact of this development and costs of specialised stock. Please include within any Planning Consent the requirement to provide 'fibre to the premise' (Superfast fibre optic broadband) to all buildings.

Kent County Council Highways & Transportation Services:

56. The following comments with respect to highway matters were received:

- In order to assess the proposals, clarification is required to the use class of the commercial space. Without knowing the use class it will not be possible to assess the parking/delivery demands.
- The existing 'Controlled Zone' signs will need to be relocated to the back of the layby/ drop-off point.
- The bike stands should be moved into the front of the commercial space; there appears to be room to accommodate the stands within the private frontage.
- The visibility splay for car parking space one appears to be obscured by the wall.
- Confirmation is required as to the height of this wall. I would suggest the wall is reduced to 0.6 metres.
- The refuse store door opens over the footway, this is unacceptable all doors/ windows must open away from the highway.

KCC Ecology:

57. No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that the proposed development has limited potential to result in ecological impacts. The building shows negligible potential for roosting bats, and does not meet the planning trigger list as identified by the Bat Conservation Trust (2016) Bat Surveys for Professional Ecologists. The building is within a predominantly urban area and not near to any suitable habitats, and therefore is unlikely to be used by roosting bats. In addition, the building has been subjected to much disturbance in the past, especially through fires, which we consider further reduces its suitability.

KCC PROW:

58. Public footpath AU73 has no recorded width in the Definitive Map Statement; therefore, we consider the physical features on the ground to determine the width i.e. the distance between existing boundaries. There must be no encroachment on the existing width.
59. The proposal is likely to generate an increase in use of the wider Public right of way network. In view of this, I request the following condition: that a contribution of £7633 be provided through Section 106 agreement to enable the council to upgrade footpath AU72 to a metalled surface for a distance of 75m in the vicinity of the development.

KCC Flood & Water Management:

60. As LLFA, KCC will require that the design accommodates the 1 in 100 year storm with a 20% allowance for climate change and an additional analysis undertaken to understand the flooding implication for a greater climate change allowance of 40%.

61. This analysis must determine if the impacts of the greater allowance are significant and exacerbate any flood risk. The design may need to be minimally modified but may also need additional mitigation allowances, for example attenuation features or provision of exceedance routes. This will tie into existing designing for exceedance principles.
62. Also please be advised that our Drainage and Planning Policy 4 states that as a minimum we would expect to see evidence that a 50% reduction in the peak runoff rate from the existing site has been sought. Within all accompanying calculations, the post-redevelopment discharge rate must take account of the predicted effects of climate change. Finally, KCC Flood & Water Management requires conditions to be attached.

Central Ashford Community Forum:

63. These buildings should be retained as an important part of Ashford's sense of place. They are in a commanding position whether leaving the town, or entering the town from the North or West. The Borough Council has often made statements about the importance of landmark townscape features, yet here you would allow one of the most significant landmarks to be demolished. In the case of demolition of the building, the Council should exact from the developers that they finance an archaeological watching brief and record, and that any artefacts are, where possible, conserved.
64. While flats are no doubt profitable, first preference on the site really should be given to proposals for other buildings that allow for community development. We are doubtful that this could be a viable commercial site. We already have Panorama, the proposals for house conversions to HMOs, the buildings coming to Elwick Place etc. Community cohesion only happens when you have a mix of housing and amenities for people. Pushing all the family homes out to Chilmington risks undermining the viability of Ashford's town centre as a place for people to live, work and socialise. With its proximity to the town, schools and station, this site would be well suited to town houses. We urge ABC not to get this one wrong- the destruction of historic buildings in the town during the 1960s and 1970s still has an impact on the town today, and will last for generations. The social aspect of town planning needs to be given sufficient weight in deciding what sort of town we want to be.

The Georgian Group:

65. Although the building was removed from the National Heritage List for England in 2016, the Group considers that the building has sufficient historical and aesthetic value to merit its consideration as a non-designated heritage asset, an opinion echoed in the applicant's own report, produced by the Heritage Collective.
66. The Prince of Wales, as a building which was considered to be of national importance before the fire, would clearly meet the test for being considered a non-designated heritage asset of local value in its present form.

67. As a material consideration in planning system, harm to the significance of the building must be balanced against the potential public benefits of the new scheme. In this case, the application amounts to the total destruction of an asset of demonstrable value which incorporates historic fabric dating to at least the 18th century. This would result in the complete loss of the building's significance as a heritage asset and could only be justified in the case of substantial public benefit; a test that the present application falls far short of.

Further Comments Received following amendments

68. **KCC Ecological Services:** In light of the amended plans, we advise that our previous comments (09th August 2017) are still applicable.

69. **Kent Highways:** No objections to the application, subject to the following conditions being attached to any planning permission granted:-

- 1) Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage
- 2) Provision of measures to prevent the discharge of surface water from the private parking spaces onto the highway.
- 3) Provision and permanent retention of the vehicle parking spaces and turning space shown on the submitted plans prior to the occupation of any of the apartments hereby permitted.
- 4) Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use occupation of the development hereby permitted.
- 5) Completion and maintenance of the access details shown on the submitted plans prior to the occupation of the development hereby permitted.
- 6) No occupation of the development shall take place on the site until all reasonable endeavours have been undertaken to implement a Traffic Regulation Order (TRO) providing double yellows on the whole of Gravel Walk in accordance with details to be submitted and agreed in writing by the Local Planning Authority.
- 7) No occupation of the development shall take place until the existing controlled parking zone on the footway on Barrow Hill has been re-located in accordance with details to be submitted and agreed in writing by the Local Planning Authority.

Notes: It should be noted that the proposed cycle stands on the footway on Barrow Hill will require a Section 50 licence for private apparatus within the public highway. The drop-off / deliveries layby, re-surfacing of the footway on Barrow Hill and new grass planting on the existing paving will be subject to a Section 278 Highways Agreement with Kent County Council Highways and Transportation.

Neighbours:

70. Initially 28 neighbours consulted. 15 letters of support, 5 letters of general comments, 33 letters of objection were received plus a petition of 15 signatures making the following comments;
71. Objections:
- (i) The proposal would not be keeping with the surrounding area. The proposed materials and scale of the building will not be in keeping with the adjacent listed buildings at Barrow Hill. Its too bland.
 - (ii) Some support for demolition of building but objection to the design being different from the surroundings.
 - (iii) The proposed development creates 14 residential settings which is comparable to doubling the residential capacity of Barrow Hill Terrace – this is over development
 - (iv) A five story building will cast a wide shadow over Barrow Hill creating an adverse effect on the local amenity for many reasons including; overlooking, loss of privacy, and overshadowing.
 - (v) Balconies overlooking our listed homes.
 - (vi) Building will block the views of the nearby St Marys Church from yet another angle
 - (vii) Buildings in area consists of red brick.
 - (viii) Instead squaring off of the building around the back of the current pub would be acceptable and expected and could create a lovely area for some people to live without causing too much disruption to the current ambience of the area.
 - (ix) The listing of the building was based on inaccurate information, hence the de-listing of the building was also based on flawed information.
 - (x) De-listing of the property was the result of inadequate maintenance, which should have been enforced by the council. The building should not be demolished and should be restored the same way the Volunteer

- Pub was restored. The proposal would result in the loss of heritage building in the town centre.
- (xi) Only a small portion of the original fabric has been lost, the remainder of this fabric lying beneath the modern interior and subsequent internal alterations undertaken over the generations, something not even entertained in any report or assumed conclusion.
 - (xii) Appears to be a deliberate destruction of what was until recently 'in part' a Grade II Listed building of national significance,
 - (xiii) Failure of the owner to properly maintain a listed building is not sufficient excuse to permit its demolition.
 - (xiv) Destruction of no111 was deliberate. The Doric door-casing was one the oldest parts of the building and it was removed at time of fire just before de-listing.
 - (xv) There are no parking spaces for visitors and no parking for the commercial unit. The local area is already under pressure because of school drop-off. The retail unit will increase the need for parking.
 - (xvi) The proposal will provide inadequate parking facilities. Some residents may own 2 cars.
 - (xvii) Access and egress from Barrow Hill Terraces should be reconsidered. The development would create highway safety issues on the roundabout. Accessing Barrow Hill from the roundabout is hazardous with several near misses from traffic heading from the town towards Chart Road. An increase in traffic turning into Barrow Hill will further exacerbate the problem.
 - (xviii) The proposed inclusion of commercial property and a pull in/lay by will again increase the risk of traffic accidents and injury to pedestrians.
 - (xix) Any addition of resident accommodation in this area should result in New Street becoming a 20 mph zone.
 - (xx) Access for refuse and fire would not be adequate. Refuse doors open up towards listed buildings rather than roundabout.
 - (xxi) The proposed retail unit is likely to be unviable. Ashford is full of empty commercial units currently with the Lidl supermarket a stone's throw from the new development so no need for another shop
 - (xxii) There are 12 empty units in town already. The commercial unit will harm the town centre. The units will just stand empty and attract littering loitering and unsocial behaviour.

- (xxiii) Disabled access: it is unclear whether there is level access for wheelchairs at street level. The bathroom doors seem to open the wrong way for wheelchair users.
- (xxiv) Construction traffic would be detrimental to neighbouring property and the safety of the junction.
- (xxv) Position of windows on 5 storey building is important to safeguard the existing residents
- (xxvi) Proposed flats would overlook private gardens, result in a loss of sunlight and creates a noisy environment because of proposed balconies.
- (xxvii) If no restrictions are put in place on the tenant/owners this will become like other flats recently built in the area. Washing hanging out, badly maintained and after a short amount of time will become dirty and an eyesore.
- (xxviii) Any building should be designed to mirror/compliment the adjacent flats known as Barrow Hill Place.
- (xxix) I think the council needs to ensure that the social function of a pub/bar is provided elsewhere in the town as lots of pubs and bars have been lost.
- (xxx) the only people supporting this proposal are people that don't live in the vicinity

72. General comments:

- (i) No objections to the building being demolished, however object to the proposed finish of the development (scale and materials)
- (ii) Design specification regarding accessibility for wheelchairs.
- (iii) Could the commercial space be used as a bar area.
- (iv) The use of this space (bar/pub) should be transferred to somewhere else in the town centre to ensure that Ashford does not lose anymore pubs.
- (v) No designated parking for retail use. If the building lost a middle floor (4 units) the parking spaces could then be used by staff and clients to this area, saving the mayhem that would otherwise ensue in the parking area for residents of Barrow Hill Terrace

73. Supporting comments:

- (i) Support demolition as building is dangerous and has been an eyesore on a main route into town for many years.
- (ii) The derelict building makes what is a beautiful part of the town look less than inviting.
- (iii) The building does not have any heritage value anymore. Any valued items which could be salvaged should be preserved.
- (iv) The design is a prestigious and attractive building.
- (v) Support the design of the attractive roof profile similar to Barrow Hill
- (vi) Support the re-development of the site to increase the supply of housing and flats in Ashford.
- (vii) Flats will certainly improve the look and 'feel' of the area
- (viii) Need buildings to make Ashford look great and to support continued growth and prosperity of the town.
- (ix) Need more jobs to boost local economy

Further Neighbour Comments following amendments

74. A total of 22 people have commented on the amendments. 21 of these comments are objecting to the scheme with one in support. A further petition from 15 residential properties in Barrow Hill Cottages has also been submitted. The comments received largely reiterate the previous comments made. The main new issues of objection raised can be summarised as follows;

- Its difficult to identify the changes to the application
- Amendment to pedestrian access and exterior cladding are insignificant.
- Resubmitted plans present no more than a nuance
- Materials suggested will deteriorate rapidly
- The scheme seem to show the development passing over the Public Rights Of Way in Gravel Walk.
- Site Notice indicates this is a listed building application

- Unsightly introduction to visitors when arriving from junction 9
- As a parent at the local primary school I am significantly concerned that the building proposed is so much further forward on the plot. Could potentially obscure the view of pedestrians crossing Barrow Hill, many of whom are school children.
- The proposed floor plan only shows 14 parking spaces. This is unacceptable and will enhance existing parking issues in the surrounding areas.
- The materials suggested for the finish are not in keeping with the surrounding area.
- This amended application is so hideously out of step with the locality, and I'm not just referring to Barrow Hill here, it is out of step even with the new houses of St Theresa's Close on the other side of the roundabout.
- Any demolition should therefore not occur during school term.
- Any addition of resident accommodation in this area MUST result in New Street becoming a 20 zone.
- Replacing the pub buildings with an oversize, ugly 5 storey building with a grey, depressing facade with insufficient parking is shocking.
- Too much grey and building will not age gracefully but look dirty and run down in no time.
- 4 stories max and a brighter look please.
- Building is severely over proportioned for the footprint it stands on
- This resubmission takes no account at all of the many constructive comments made in response to the original application.
- Can't understand why the resident local councillor living in the historic adjacent conservation area hasn't objected.
- This area should really be a conservation area going forward to preserve the nature and history of the area.
- Barrow Hill Place, Terrace and Cottages are Grade 1 listed.
- Consideration should be given to what has been achieved at the British Volunteer conversion in New Street.

Planning Policy

75. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012, the Chilmington Green AAP 2013, the Wye Neighbourhood Plan 2015-30 and the Pluckley Neighbourhood Plan 2016-30. On 9 June 2016 the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016 and closed after 8 weeks. Proposed 'Main Changes' to the draft Local Plan were approved for further consultation by the Council on 15 June 2017 and consultation has now commenced. At present the policies in this emerging plan can be accorded little or no weight.
76. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

EN32 – Important trees and woodland

TP6 – Cycle parking

LE6 – Off-site provision of public open space

LE7 – Play facilities

LE8 – Play facilities

CF6 – Standard of construction of sewerage systems

CF8 – Renewable energy

Local Development Framework Core Strategy 2008

CS1 – Guiding Principles

CS2 – The Borough Wide Strategy

CS3 – Ashford Town Centre

CS8 – Infrastructure contributions

CS9 – Design Quality: Development proposals must be of high quality design.

CS10 – Sustainable Design & Construction

CS11 – Biodiversity and Geological Conservation - Development proposals should protect biodiversity

CS 12 – Affordable Housing

CS13 – Range of Dwelling Types and Sizes

CS15 – Transport: Development proposals must show how all highway, public transport, walking and cycling needs arising from the development will be satisfied

CS18 – Meeting the Community's Needs

CS19 – Development and Flood Risk

CS20 – Sustainable Drainage: All development to include appropriate sustainable drainage systems (SUDS) for the disposal of surface water

CS21 – Water Supply and Treatment: Major proposals for new development must demonstrate there will be adequate water supply and wastewater treatment facilities in place

Ashford Local Plan to 2030

SP1 – Strategic objectives

SP2 – Strategic approach to housing delivery

SP3 – Strategic approach to economic development

SP4 – Delivery of retail and leisure needs

SP5 – Ashford Town Centre

SP6 – Promoting high quality design

HOU3a – Residential development in Ashford urban area

HOU12 – Residential space standards (internal)

HOU14 – Accessibility standards

HOU15 – Private external open space

EMP6 – Fibre to the Premises

TRA3(a) – Parking standards for residential development

TRA4 – Promoting the local bus network

TRA5 – Planning for pedestrians

TRA6 – Provision for cycling

TRA7 – Road network and development

TRA8 – Travel plans, assessments and statements

ENV1 – Biodiversity

ENV2 – Ashford Green Corridor

ENV6 – Flood risk

ENV7 – Water efficiency

AENV8 – Water quality, supply and treatment

ENV9 – Sustainable drainage

ENV15 – Archaeology

COM1 – Meeting the community's needs

COM2 – Recreation, sport, play and open spaces

IMP1 – Infrastructure provision

Ashford Town Centre Area Action Plan 2010

TC1 – Guiding Principles

TC18 - The Residential Transition Quarter

Policy TC18 - The Residential Transition Quarter

The principal role of this Quarter is to act as a careful transition from the substantial and larger scale development proposed in the Town Centre Core to the existing residential areas to the north and west. Proposals coming forward in this Quarter must be carefully integrated with the surrounding residential properties and respect the scale of these properties and the quality of life of existing residents.

Where there are small scale development opportunities residential use is appropriate – at street corners this can be complemented with small retail or leisure uses on the ground floor.

At New Street, a carefully designed, strong new entrance to the town centre is proposed with a multi-storey car park forming a key part of a development mix that can include complementary retail, leisure and office uses.

TC19 – New Street South

Policy TC19 - New Street South

This site is allocated to provide a multi-storey public car park, providing 400 spaces. A scheme will need to be designed to minimise the impact on residential occupiers of properties in Marlowe Road and Norwood Gardens and achieve a good design relationship with the adjacent listed public house.

A comprehensive redevelopment of the whole site, incorporating the multi-storey car park, would also be acceptable. In this case, a new building should provide a positive and strong development frontage to Forge Lane and the New Street junction, whilst achieving active ground floor uses and good pedestrian facilities on a generous pavement and enhancing the crossing facilities to the Town Centre Core. The building's design will need to be of special quality to act as a focal point and gateway to the town centre and complement the traditional architectural form and scale of the New Rents area opposite.

77. The following are also material to the determination of this application:-

Supplementary Planning Guidance/Documents

Residential Parking and Design Guidance SPD 2010

Landscape Character Assessment SPD 2011

Residential Space and Layout SPD 2011(now external space only)

Residential Parking and Design SPD 2010

Sustainable Drainage SPD 2010

Public Green Spaces and Water Environment SPD 2012

Dark Skies SPD 2014

Informal Design Guidance

Informal Design Guidance Note 1 (2014): Residential layouts & wheeled bins

Informal Design Guidance Note 2 (2014): Screening containers at home

Informal Design Guidance Note 3 (2014): Moving wheeled-bins through covered parking facilities to the collection point

Government Advice

National Planning Policy Framework (NPPF) 2012

78. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. This is the effect of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town and Country planning Act 1990.
79. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

Para 11 sets out a presumption in favour of sustainable development requiring planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Para 56 attaches great importance to the importance of the design of the built environment

Para 95 sustainable design and construction (para 95).

Para 129- LPA's should identify and assess the particular significance of any heritage asset that may be affected by a proposal to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal

Para 130 - Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision

Para 131 - In determining planning applications, local planning authorities should take account of protecting heritage assets and consider viable uses; recognise positive benefits of conservation of heritage assets; and desirability of new development in relation to local character.

Para 132 - Great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Para 133 -Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent

Para 134 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use

Para 135 - The effect of an application on the significance of a non-designated heritage asset should be taken into account and a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

Para 136 - Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred

- Part 1 - Building a strong, competitive economy which should positively encourage growth,
- Part 2 - Ensuring the vitality of town centres - promote competitive town centre environments and ensure their growth. Also recognise that residential development can play an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Part 6 - Delivering a wide choice of high quality homes - requires local planning authorities to deliver a wide choice of high quality homes. LPA's should widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Part 7 -Requiring good design to contribute positively to making high quality inclusive design of individual buildings, public and private spaces places that are better for people.

Part 8 - Promoting healthy communities by encouraging opportunities for meetings people to come into contact with each other, including through mixed-use developments and active street frontages which bring together those who work, live and play in the vicinity. Its important to support safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas

Part 12 – Conserving and enhancing the historic environment – Sets out the opportunities to draw on the contribution made by the historic environment to the character of a place. Highlights the desirability of new development making a positive contribution to local character and distinctiveness

National Planning Policy Guidance (NPPG)

80. Determination should be made in accordance with the Development Plan unless material considerations indicate otherwise. The following sections are relevant to this application –

- Air Quality
- Climate Change
- Conserving & Enhancing the historic environment
- Design
- Ensuring the vitality of town centres
- Flood risk and coastal change
- Health & Wellbeing
- Light pollution
- Open space, sports and recreation facilities, public rights of way and local green space
- Renewable and low carbon energy
- Viability
- Water supply, wastewater and water quality
- Contributions/Section 106 matters
- Use of planning conditions
- Viability
- Waste
- Water supply, wastewater and water quality

Assessment

81. The main issues for consideration are:

- The principle of the development
- Heritage issues including the principle of the loss of the pub building and the impact of the development on the setting of the listed buildings
- The impact on existing and proposed residential amenity
- The design of the scheme, the impact on the visual character of the surrounding area including setting of listed buildings.
- Landscaping and public realm

- Access and the impact on the surrounding highway network and parking provision
- Sustainability issues including SUDs
- Contributions/Section 106 matters

Principle of redevelopment

82. The Town Centre Area Action Plan (TCAAP) identifies this part of the town centre as a Residential Transition Quarter. The TCAAP sets out a vision for this area focusing on the provision of housing as well as an intensification of development along New Street as part of an attractive landmark and gateway to emphasise the sense of arrival at the town centre. It encourages new homes to be provided and places importance on a quality public realm as a key aspiration.
83. Policy TC18 states the need for a careful transition from the town centre core to the existing residential areas and requires new development to be carefully integrated with its surroundings by respecting the scale of existing properties and the quality of life of the residents.
84. The TCAAP also sets an indicative target for the overall quantum of development for the Residential Transition Quarter of 200 sq.m.gross of commercial space. There have been no substantial new commercial developments in this quarter in recent years and so this proposal for 84sq.m is well within the total overall quantum. Policy TC18 also states that small scale retail at ground floor on street corners may be appropriate with a carefully designed new strong entrance being important. By virtue of the proposed design and mix of uses I am satisfied that the principle of the development is in keeping with the TCAAP and policy TC18 as the scale of the building is appropriate for this area and the commercial use acceptable in principle.
85. The application site lies immediately adjacent to TCAAP policy TC19 (New Street South) which seeks to encourage a comprehensive redevelopment of the site to the south-east of this site, and specifically to provide a multi storey car park. Whilst this requirement is likely to be removed from the emerging new Local Plan, I am satisfied that this scheme does not in any way prejudice the redevelopment of this site for a multi storey car park as the site is of a substantial size and any new car park building would have to respect this sensitive western edge by setting it back from the existing houses and the former pub buildings. I am content that there are sufficient options for a number of design solutions which could accommodate these requirements.

86. The site lies within the western boundary edge of the town centre and I consider a commercial use to be entirely appropriate for this site within use classes A1, A2, A3, or B1, as these uses are compatible in residential areas as they will not have an adverse impact on residential amenities of existing properties through noise, traffic or smells. A condition is suggested to restrict the use classes to those listed above.
87. The site is effectively a brownfield site and with 14 units on such a small site (0.2 acres) I regard the development as making a very efficient and effective sustainable use of previously developed land. This is in keeping with development plan policies CS1, CS2, CS4, SP1 and SP2 which advocate residential development in a strategic/allocated manner with brownfield sites being utilised first. I consider the principle of the use of the site for residential and commercial to be acceptable in policy terms. The principle of this development in a sustainable location is therefore accepted and compliant with the aforementioned policies.
88. The site is not designated in the emerging draft Local Plan 2030 but the draft emerging policy HOU3a (Residential windfall development within settlements) states that infilling of sites in the Ashford built up area for residential uses is acceptable subject to specific criteria. The proposed development conforms with this policy as the layout, design and appearance are acceptable and it makes a positive contribution to the local character of the area. It results in no detrimental impact on residents, and does not significantly harm heritage assets and is acceptable on traffic grounds. It does not need substantial infrastructure upgrades to support it. Lighting can be accommodated safely into the development without impact on neighbouring homes or impacting on this urban street scene. The proposals also do not displace an active use such as employment, leisure or community. I am satisfied that the proposed development is in compliant with policy HOU3.

Heritage - The principle of the loss of the pub building

89. A key issue to consider is the importance of the loss of the former listed building. Many people have objected to the scheme on the grounds of the loss of the former pub buildings as they were seen as being of heritage value. In March 2016, Historic England agreed to the delisting of the public house, identified as The Prince Of Orange Public House on their records, but which had been amalgamated with the Prince Albert Public House. A copy of the report setting out the reasons for the delisting is attached in Appendix 2.
90. The potential use of the building as a public house is no longer practical or viable having closed in 2008 and the condition of the building has deteriorated following a fire in 2014. Its important to highlight that although many local people wish to see the building retained a good number of other local people view the building as an eye sore and feel that it should be demolished

91. The building's condition has clearly deteriorated significantly since 2008 and its reuse as a pub is no longer viable for modern drinking and eating establishments on a site with very limited on plot car parking currently. Its conversion to a residential use to a very small number of flats would be impractical for modern living requirements and would be very expensive. On these grounds I do not regard the building to be suitable for retention as a pub or a conversion to another use such as residential.
92. The Georgian Society regard the pub building to be a 'non-designated heritage asset'. Advice set out in the DCLG Planning Practice Guidance 2014 Para 39 states that Local Planning Authorities may identify non-designated heritage assets (NDHA). Para 41 states it is the role of local planning authority to identify non-designated heritage assets judged against consistent published criteria, which may be generated as part of the process of producing a local list. Ashford Borough Council does not operate a local list system and therefore we do not have a published set of criteria which a scheme can be judged against. However the emerging Local Plan 2030 (para 5.400) states that although Ashford does not currently have a Local List, the intention is to prepare SPD setting out guidance and a recommended methodology on Historic England's Guiding Principles for Local Heritage Listing. Local Heritage Listing, Historic England Advice Note 7. I have considered the existing former pub buildings in relation to the relevant criterion and considered these in relation to the specialist advice of Historic England when they assessed the building for the de-listing process and I am satisfied that on reflection that the building does not meet these criteria and would not therefore be suitable to add this building to a local list.
93. When the discussions over the delisting of the building were taking place with Historic England no mention was made by any party that, despite the building being delisted, its qualities were such that it should be identified as a NDHA instead. It seems very clear that due to the loss of the building's historic fabric, the loss of the internal historic divisions, the loss of historic pub fittings, the modern extensions; merging of the pubs; and the loss of legibility the pub had no claims to have special historic interest in a national context. As a result it is clear that for this application this building should not be considered as a non-designated heritage asset. On this basis the loss of this building was considered acceptable in principle.
94. However DCLG Planning Practice Guidance 2014 para 41 states that when considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. The advice in National Planning Policy Framework Section 12; Conserving and Enhancing the Historic Environment (para 135) states that

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

95. I have therefore looked at the scale of harm through the loss of the building. The once strong relationship between the pub and the local terraced houses has been severely harmed through the loss of many rows of terraces to make way for the large highway infrastructure as well as the construction of a large surface car park. There is no longer a strong sense that the pub is an integral part of the historic urban environment that makes up the Barrow Hill area as modern changes to the public realm and adjoining land means the pub feels rather disjointed from the terraced properties. The loss of the pub will not harm the historic group value of the rows of terraced properties.
96. I consider the design of the replacement building to be high quality and its siting form and appearance will make a bold statement to help it stand out. This prominent building will help tighten and enclose the adjacent streets on a significant corner. This seems to replicate the way the pub building originally sought to be designed and decorated to stand out on this prominent street corner. I am satisfied that the loss of the pub for a building of such high quality will lead to the enhancement of the local environment. The significance of the buildings loss will therefore be minimal
97. Therefore as the pub does not have enough heritage interest, the buildings loss will not be significant and whilst its a material consideration in the planning process I give this relatively little weight in terms of any reason for not supporting the principle of the building's loss or on the proposed design of the replacement building.
98. On balance, I do not regard the building to have significant enough heritage interest to be considered important to preserve or retain. This advice from Historic England was clear in 2016. It is also not considered suitable to add to a local list as a non-designated heritage asset. The loss of the building is significantly outweighed by the benefit of bringing the site back into an active use for well-designed housing close to the town and since the design of its replacement is considered to be a high quality design that will enhance the local area . Consequently I do not have any objection to the loss of the former pub building.

Heritage - the impact of the development on the setting of the listed buildings

99. A key heritage related issue to consider is what is the impact on the adjacent listed buildings in Barrow Hill and therefore whether there is any harm to its special architectural or historical significance.
100. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 c.9 Part 1 set out general duties of the LPA as respects listed buildings in exercise of planning functions. It seeks to ensure that where development affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This act requires a local authority to have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings
101. I have taken into account the impact on the setting of the listed buildings as designated heritage assets. In keeping with the DCLG Planning Practice Guidance 2014 'Conserving and Enhancing The Historic Environment' the definition of a setting is ;
- The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*
102. Therefore I have therefore looked at the impact on the setting of the existing listed buildings in Barrow Hill and Barrow Hill Place in respect of the impact the proposals will have on the following;- views; scale & height; local historic character; architectural detailing and materials.
103. The following 3 historic maps of the area (see below) show the original dense network of terraced buildings in relation to the application site, the pub buildings and current listed buildings.



A - Map dated 1843-1893

B - Map dated 1891-1912



C - Map dated 1904-1939

HISTORIC MAPS COVERING 1843 TO 1939

104. The Barrow Hill listed buildings are presently set in what feels like a self-contained intimate leafy environment. However originally historic maps show the terraces were nestled tightly amongst a large network of rows of dense terraced properties in linear streets around the entire application site.
105. Views - Originally the views of the Prince Albert public house buildings would have originally been much more limited from all surrounding streets.

106. The main view of the group of listed buildings is south westwards from the junction of Barrow Hill and Gravel Walk of the Barrow Hill area will remain unchanged by this development (see image below).



107. From a townscape perspective a key view from within the cluster of listed buildings in Barrow Hill Place and Barrow Hill would originally have been eastwards straight along Gravel walk towards the church spire in the town centre. Originally this would have been much narrower enclosed street and whilst the streets and surroundings have changed considerably over time the proposed building will not block or prevent the alignment and direction of these views which will be retained (see below).



108. The views of the listed terrace buildings from a north easterly direction are now very different than when they were originally built. The surrounding terraced properties have all been demolished and a major road has been built. The present views from along New Street leaving the town centre are towards the secondary rear elevations which are clearly the backs of the substantial terraces in Barrow Hill Place (see below) . This rear elevation is simple and unremarkable and has a more functional appearance as they contain very little decoration. The main facades in Barrow Hill Terrace face south and feature very attractive and decorated facades. The views of the backs of these which may be slightly impaired by the siting of the new building but this view is not important to the setting of the listed building or the character of the area.



109. The siting of the proposed building will not harm the relationship between the three rows of listed terrace buildings in Barrow Hill and their respective streets in terms of intervisibility that originally would have been evident.
110. I do not consider that the siting or scale of the proposed building will have a detrimental impact on the views in and out of the area around the listed buildings or on the skyline and in this respect will not harm the character or setting of the listed buildings.
111. Scale & Height ; There has been some concern expressed over the height of the proposed building. The dimensions, scale and massing of the proposed building has demonstrated to my satisfaction that the building respects the original character of the area and respects the townscape qualities such as street alignment that, enclosure, views and scale that still exist today. I am satisfied the height and scale of the buildings.
112. Also I am satisfied the scale and form of the proposed building is sensitive to the historic context by stepping down a storey on the south west corner at a point closest to the listed properties in Barrow Hill and Gravel Walk. By virtue of the distance between the proposed and existing listed building and its modest scale of only one and two storeys higher than the terraced properties, I am content that the design respects the setting of the listed buildings is not overbearing and does not harm their historic character or architectural significance.
113. Local Character - Understanding the changing history of this urban place and its surrounding streets and the degree of change over time is important to consider in assessing the impact on the setting of the listed buildings. Since the 1970's the area to the north and east of the listed buildings has changed dramatically with the removal of many streets and many rows of terraced properties to make way for the road infrastructure and the adjacent supermarket. This has transformed this part of the townscape and its character and the way the area functions. Within the streets enclosed by the listed properties the advent of the motor car has lead to significant changes to create parking spaces, concrete kerb lines, visibility splays, on street parking, street lights, road signs and asphalt surfacing. Other incremental changes to the public realm have resulted from the provision of services and utilities.
114. Over the past 40-50 years, some residents in Barrow Hill have made changes within the curtilage of their properties to create hardstanding space for parking cars. Over time has led to the reduction in the amount of soft landscaped garden spaces in some properties which has changed the character and perception of the street. However it must be said that some mature tree planting has become established which gives the impression of a leafy area than it probably once was. These incremental changes in recent times have significantly changed the character and setting of the listed buildings. Given

the considerable amount of changes that have occurred locally in recent decades, the modest change that the proposed development will have will have on the area will not harm the setting of the listed buildings.

115. Given the area around the listed buildings was originally much denser and more built up, I am comfortable that providing a slightly larger building with a bigger footprint the proposals will still be in keeping with the original tight urban grain of the local townscape that formed part of the character and setting of these listed buildings.
116. *Architectural detailing* - Each of the main three rows of listed terraced dwellings are different in scale and appearance, with their own individual rhythm and unity on each individual dwellings terraced housing. The design successfully complements the listed buildings by responding to the traditional architecture style in a contemporary manner with a good degree of rich brick detailing in places. There is a clear attempt to interpret the traditional pitched roof form rhythm of Barrow Hill Terraces which is successfully reflected in a striking contemporary roof form. I regard the design of the proposed building to contain a pleasing mix of both formal elevations and richer decorative parts to other elevations.
117. I do not consider the design to be disordered as each elevation responds to the different character, context and opportunities to each of the edges to the site. The lack of symmetry in this building is deliberate as this compact site calls for a different free standing built form that is taller and clearly different to the surrounding rows of terraced buildings. The exposed nature of all four sides of the building and the very different characteristics of each edge to the site, means each elevation of the building needs to work hard to be different in order to successfully respond to the character, orientation and different climatic conditions each elevation will face. A symmetrical building design would be less appropriate given the context and I support the design on these grounds.
118. There is sufficient repetition in the design of the building which manifests itself in the architectural brick detailing, fenestration and some of the external materials across the different elements of the building. The repetition that exists in the roof form seeks to mimic and interprets the traditional roof pattern and form of Barrow Hill Place terraces in a modern manner. I am satisfied this works well.
119. I consider there to be a clear frontage to the building at street level with the main residential and commercial entrances clearly obvious and distinct. For the reasons I have highlighted above I am satisfied that the proposed architectural design of the building will have no adverse impact on the setting of the adjacent heritage assets.

120. I consider that the architectural style and detailed design features of the proposed building would have no impact setting of the listed buildings.
121. *Appropriateness of materials* - In assessing the impact on the setting of the listed buildings the selection of materials is important. The listed buildings combine a range of materials including red stock brick, render/stucco, ragstone and slate roofs and other buildings including the pub include yellow stock bricks, clay tile hanging and clay tiled roofs. The proposed design features a well considered mix of appropriate materials on each façade. Overall the proposed materials palette responds well to the setting and were selected in response to the texture and colour of traditional materials found in the local area. This is especially important on the western elevation along Barrow Hill and wrapping round into part of Gravel Walk where brick materials have been chosen to complement the materials of the listed terraced buildings.
122. Given the location I intend to recommend that should the scheme be supported, the materials should be assessed on site for suitability before construction to ensure the quality, colour, texture, finish and application is guaranteed to the very high qualities we expect and to respect the setting of the listed building. This will be dealt with by condition.
123. *Landscaping* -The leafy character of the area is a considered to be part of the setting of the listed buildings particularly as some clusters of mature trees existing between the site and the listed buildings. These provide surprisingly dense foliage providing shade during the summer months especially. These important trees will not be affected by the development and the proposals will aim to introduce a further street tree on Barrow Hill subject to detailed discussions with Kent Highways to establish if there is sufficient space to plant it on the footway. I am confident the scheme will be able to at least preserve if not enhance the sense of a well landscaped area which is important to the setting and character of the listed buildings. A condition is recommended to address the provision of a new tree.
124. The design of the proposed development will make a positive contribution to the local character and distinctiveness of the area. I do not consider that the proposed form or design of the proposed development will cause any harm to the special architectural and historical character and setting of the listed buildings.

The impact on residential amenities

125. Concerns have been raised by local residents, regarding the proposed balconies and terraces facing south on all 4 upper floors. The suggestion is that these would cause overlooking and have an impact on privacy. I have therefore assessed the potential distances to establish whether that could be

an overlooking impact on privacy and the residential amenities of existing residents.

126. The distance between the proposed windows and balconies on the proposed west elevation and the existing property 1, Barrow Hill Place on the north side of Barrow Hill Place closest to the roundabout, is a minimum of 22metres. This does not raise privacy problems for me as this distance between windows occurs frequently in urban environments and town centres. For instance the existing distances between windows of the rows of properties either side of Barrow Hill Place is approximately 20metres. No 1 Barrow Hill Place does not have its own private rear amenity garden space as the curtilage has been converted to a walled car parking space alongwith a shared parking court serving the other properties. The balconies and windows will not overlook any eternal private amenity spaces to this property. There is also a cluster of large trees between the development site and this end property of number 1 Barrow Hill Place directly between the line of view between existing windows and proposed balconies. For these reasons there is no adverse impact on the residential amenity of 1 Barrow Hill Place.
127. In relation to the proximity of proposed windows and balconies and the properties in Barrow Hill Terrace, (the cottages accessed from the south side of Barrow Hill Place), the distances between he proposed balconies to the front of these properties is no closer than 35metres. This does not raise any overlooking or privacy issues between windows. Nearly all these existing properties have their private amenity garden space to the rear south side with their front gardens on north side being partially hard landscaped to provide on plot driveways. Some pockets of mature trees and shrub landscaping lie between the parking areas and the dwellings which help give a feel of privacy. Generally I am content that the proposed balconies and windows do not raise overlooking issues to the private external amenity garden spaces of Barrow Hill Terrace.
128. The garden area of the end dwelling 1, Barrow Hill Terrace is nearly all covered by extensions and outbuildings serving the property, meaning it has no private rear garden to the south. Instead the property has a small amenity space immediately to the north side of the property facing towards the development site. A parking bay is then provided between the garden area and the development site. Also directly between this dwelling's private amenity space and its northern boundary is a large mature tree and some substantial shrub landscaping providing a dense foliage screen in the summer months. Since the distance between this property's main garden amenity space and the proposed nearest balcony is approximately 25metres, and since the mature landscaping and dense foliage acts as an effective screen, I consider there will be no detrimental impact on existing residents of this property and this sort of separation would be an acceptable relationship in an urban context.

129. I have also looked closely at the relationship of the proposals to existing flats 1 and 2 in Engineers Court directly south of the site. These flats do not have any north facing windows, solely serving habitable rooms, in the direction of the development site. The ground floor flat has a very small rear garden space with substantial landscaping which will screen views towards it from the development site. The distance is a minimum distance of 26metres with a Lidl car park in between. I consider that this raises no overlooking or privacy issues for 1 and 2 Engineers Course in this sort of existing urban setting.
130. I have also considered the relationship of the development proposals to the rear of properties 10 and 11 Norwood gardens. The distance from the proposed balconies to the rear of these residential properties is a minimum of 38metres. The distance to the rear garden boundary edge is over 22metres and again these are generous distance in an urban location which will have no detrimental effect on the residential amenities of the properties.
131. Despite the conclusion that the scheme would have no impact on the existing residential properties nearby it was felt prudent to secure some louvered privacy screens to the southern western corners of the balconies. These have been secured with the aim of trying to restrict views south-westwards from the balconies towards Barrow Hill Place and Barrow Hill Terrace especially, in direct response to the concerns of some residents. I am content that none of the adjoining residential properties will be overlooked by the proposed dwelling and that there will be no adverse impact on privacy and the residential amenities of these existing dwellings.
132. The proposed flats are largely dual aspect and so the amount of private amenity spaces provided on the proposed balconies for residents are substantial and face south or east so will benefit from very good sunlight and natural daylight levels. In this busy urban location on the edge of the centre where there are few parks or green spaces within easy walking distance of the site and therefore I consider this to be an essential and very welcome feature of the proposals.
133. The proposals are in accordance with the Government's Technical Housing Standards - Nationally Described Standards for minimum internal space for new residential developments, and therefore emerging policy HOU12.
134. The proposed scheme satisfies all the current internal space standards for 2-bedroom flats. The gross internal space floorareas include 3 units at 85.9m² ; 3 units each of 73.7 m²; 3 of 72.1 m² ; 3 with an area of 70.3 m²; 1 unit of 79.1 m² and 1 units of 91.7 m². This is in accordance with the national requirements for a 2 bedroom 4 person 1 storey dwelling which stipulates a minimum floor area of 70 m².

135. The balconies and terraces are very large and range in size with the following sizes;

- 9 x units 8.1-8.2m²
- 3 x 10.2 m²
- 1 x top floor terrace at 19.7m²
- 1 x top floor terrace 37.8m²

It is apparent that all the flats have very generous sized balconies and I am satisfied they will provide a good amount of relatively private amenity space for the residents.

136. Communal on-plot amenity space has not been possible on this site as it is very small and compact site. The nearest informal open space lies to the south between James Street and Norwood Gardens and is just under 200m away by foot. In the respect of the lack of communal open space the proposal does not fully accord with the space standards SPD and 'emerging' policy HOU15 – the latter of which can only be afforded limited weight. Members have previously accepted flats with no communal amenity space where flats are close to good sized areas of public open space and flats also have individual private balconies/terraces. I therefore consider that it is a reasonable approach in the context of this heavily constrained site with some open space relatively close by and the inclusion of very generous balconies for the properties and I have no objection on the grounds of a lack of communal open space on site.

137. An acoustic report was submitted by the applicant due to the existing proximity of the building to this busy road. This report recommended mitigation measure for dwelling affected by noise of New Street such as double glazing. The environmental health manager has no objection subject to a planning condition to secure appropriate mitigation and, again, I agree with this approach. A condition relating to the commercial use was required to safeguard sound insulation between this use and the flats and also to any potential kitchen extraction systems in the commercial unit.

The suitability of the design in this location and its impact on the local character

138. I have looked at the design in relation to the Town Centre Area Action Plan, The Core Strategy, the NPPF and feedback from the Design Review Panel (See annex 1).

139. Policies, CS1, CS9 SP1 and SP6 state that all development should seek to create a distinct character, with a strong sense of place and identity. The scheme has been subjected to detailed design negotiations and a Design Review panel.

140. The key design issues raised by the Design Panel at an earlier pre application stage concluded
- An analysis of the context was well considered.
 - Scale and massing was appropriate.
 - The articulation breaks down the mass successfully
 - Form and materials respond to context and are appropriate
 - The areas where the comments of the panel lead to improvements in the design
 - Internal configuration of stairwells
 - Materials should define the entrance to flats to make it stand out from commercial unit more.
 - Orientation of balconies.
 - Explore more planting to rear of site.
141. The siting of the building is heavily constrained by the small size of the site. There was an original desire to develop a building with a larger footprint onto Gravel Walk but this was proved to be difficult as the ownership of this land remains unclear and due to the fact that Gravel Walk is still an adopted highway and footpath despite it being a cul de sac not leading anywhere. I consider the way building addresses and encloses New Street and Barrow Hill to be acceptable with the access to the south. I am content that the orientation of the building has been carefully considered and the resulting building will have a successful south orientation with balconies and glazing that will benefit residents amenity space and will secure plenty of natural daylight and sunlight into the buildings internal rooms.
142. The scale height and massing of the building is considered to be acceptable and in keeping with a site on the edge of the town centre. The proposal is for a 5 storey building stepping down to a 4 storey corner element closest to the listed buildings specifically to respect the scale of the listed buildings. These listed properties in Barrow Hill Place, closest to the site, features a strong terrace form which is 3 storeys high plus a roof. The step up from the existing 3 storeys to a proposed 4 and 5 storey building is sympathetically resolved and therefore acceptable.

143. The height to the varied ridge of the existing pub building varies from 6.7 up to 9m. The image below shows the relationship of and the scale of the proposals to the existing pub building and the listed buildings.



***PROPOSED RELATIONSHIP TO LISTED BARROW HILL PLACE TERRACES AND
COMPARISON WITH SCALE OF FORMER PRINCE ALBERT PUBLIC HOUSE***

144. The 4 storey corner of the flat roofed section of the proposed building measures approximate 12.8m tall. The ridge height of the nearest listed 3 storey row of terraced properties is 11.8metres excluding the prominent chimney stacks. By taking levels in to account the 4 storey proposed element is only 0.52m higher than the ridge height of the adjacent row of terraced buildings. The majority of the rest of the proposed building stands at 5 storeys (approx. 16.6m high) and at its highest its varied ridge height is 4.25 m above the ridge height of the existing terraced ridge height taking into account the local topography. The difference between the top of the existing terraced dwellings chimneys up to the proposed ridge height at its highest point the difference is approximately 2.85m.
145. In an urban location this difference in ridge height is moderate and I consider the variation will add a further visual quality and richness to the mixed form and roofscapes typically found in the town centre.
146. I consider the design to be acceptable in terms of scale as the proposed 4 storey form closest to the listed building is an acceptable transition from the existing substantial 3 storey form of the listed terraced buildings. I am content that the proposal steps up from 4 to 5 storeys across the majority of the site. The design includes a contemporary varied pitched roof form with minor flat roof sections, and I consider it has been carefully designed specifically to learn from and respect the scale and character of the listed Barrow Hill

terraces. Since I do not consider a fully flat roof form for the proposed building to be appropriate given the character of buildings in the area, I am satisfied that this mix of largely pitched roofs and some flat roof section has been skilfully designed to specifically minimise the height for a 5 storey form.

147. I am also satisfied with the proposed scale of the building as it represents an efficient use of urban land on a small site. The ability to include residential uses at ground floor was extremely difficult and consequently only flats above ground floor are realistic and up to four levels of flats above the ground floor is not considered to be unreasonable. The demolition and site constraints mean this is also an awkward site to develop. The benefits of providing much needed population living close to the commercial heart of the town centre is clear. I am satisfied that 14 flats up to 5 storeys is appropriate for the location and the scale will not have an adverse impact on the listed buildings and the visual amenities of the local area.
148. The proposal would provide a much stronger façade and greater sense of enclosure to the south side of New Street which currently lacks sufficient frontage and enclosure given its wide, and engineered appearance. The proposed scheme will improve the sense of place and conforms with established urban design principals and is in keeping with the fundamental principle of design policies of the Core Strategy CS9 and NPPF (Section 7, Requiring Good Design para 58)
149. I support the way the proposed building elegantly steps down to 4 storeys along the western edge of the site as it wraps round the corner of the 5 storey sections. I consider this responds well to the slightly different leafy character and scale of dwellings in Barrow Hill. This is a strong feature of the design, form and massing of the building in relation to its context. Likewise I am pleased with the way the form to the east elevation responds to the prominent views of the building in a westward direction along New Street when leaving the town centre. The massing and form to the rear elevation would successfully ensure the balconies and terraces could exploit the sunnier south facing orientation.

150. I am satisfied with the architectural response of the proposed design. The four elevations of the building responds to the respective characters of the different streets and spaces they address.



NORTH ELEVATION FRONTING ONTO NEW STREET



151. The north frontage is simple and more robust to address the busy roundabout and I am content this design works very well on this very prominent elevation. There are many qualities that I consider the proposed design displays.
152. This main north elevation is robust and simpler in its appearance specifically to cope with the harsh setting of the roundabout and respond to its north facing elevation. There have been some comments expressed about the facade looking too grey which I do not share. The proposed style of slate fibre cement is a robust easily maintainable material that reflects the historic use of slate found in the town. It is a visually interesting material by featuring variation in the colour and tone. This material on this elevation needs to be tough and easily maintainable to avoid discoloration as being so close to the highway and facing north the local conditions will soon begin to weather it. The grey material will be offset by the use of traditional robust ragstone along much of the ground floor elevation. Also some sharp window reveals in a striking but subtle deep red/scarlet colour will introduce strong interest that will

contrast sharply with the darker grey. I intend to assess all the proposed materials further on site to check they are suitable in terms of colour, tone and finish so I am confident the materials and design of the façade will be welcome addition to the area.

153. The scale of this façade complements the scale of the adjacent Barrow Hill terrace block to the west and the scale of the mature cluster of trees in the centre of the roundabout when all viewed collectively.
154. The cantilevered overhang at the front of the building emphasises its strong robust building form. It highlights the different internal uses of the building in a convincing way. The supporting columns are also interesting architectural elements that enrich the impression of the building.
155. I consider the proposal to include sections of recessed non glazed window spaces, will add to the richness of the architecture and help break up the elevation by emphasising the verticality of the building. The inclusion of an interesting pattern of windows to the north front elevation also helps to articulate the facade and sense of a strong vertical emphasis.
156. The location of the main communal entrances to the building, accessed from the street and the car parking spaces to the rear, are successful as they are clear and obvious. I am satisfied that it will help ensure easy access and activity by residents coming in and out of the building which consequently helps make it easy for residents to walk into the town centre. By encouraging people to walk along this street will improve natural surveillance and create a better sense of safety for residents and passers-by.
157. The provision of a large ground floor glazed frontage for the commercial space means that views into the building will be possible from the street and again this creates a sense of activity and animation to the street as well as a greater sense of overlooking and natural surveillance. The proposal seeks to create active frontages to the main publicly accessible areas to ensure a good degree of activity within the street scene and natural surveillance overlooking for safety. The introduction of commercial/employment spaces at ground floor would add vibrancy to this part of the development and make it distinct from the residential flats.



EAST ELEVATION – NEW STREET

158. The east elevation is equally prominent and responds very positively to views from the town centre. When viewed along New Street, from the direction of the town centre, the architectural form is striking and interesting with a pleasing configuration of contemporary recessed balconies and a complementary blend of materials framing the main architectural features. The design of this elevation also will offer the occupants interesting views towards the church spire and roofscape of the historic heart of the town centre from their homes and balconies.



WEST ELEVATION - BARROW HILL

159. The softer character to the west elevation along Barrow Hill is slightly more reserved but has well proportioned glazing and good traditional brick materials that complement the leafier more traditional character of this attractive street.



SOUTH ELEVATION, CORNER DETAIL, AND BALCONY DETAILING

160. The rear elevation has strong architectural definition with more of a horizontal emphasis and provides a pleasing contrast to the vertical elements elsewhere on the building. The enrichment of this elevation has been introduced through the inclusion of recessed balconies to create a strong impression of solid and voids to the elevation. The projecting elements to the rear add further interest to the elevation and help to discretely hide the car parking beneath. I consider the much busier south elevation to be well designed and acceptable. It features interesting framed balconies and terraces, good levels of glazing and a pleasing mix of varied materials all based on traditional materials found locally in the town centre.
161. The proposed materials will offer an interesting mix and include some traditional ragstone and brickwork which are very appropriate for the area. The other man made cladding, whilst not traditional, are contemporary

interpretations of typical Kentish materials such as white timber weatherboarding and will be suitable robust alternatives for this heavily trafficked environment which can be maintained easily. The main façade is proposed to be a replica man made slate due to cost constraints. Whilst I would prefer a natural slate with subtle variations in its colour I am satisfied this material will be adequate. Conditions will be applied to assess and agree the materials type and the way it is laid on site so that any panels are representative of the local context.

162. Overall I am very satisfied that the design of each façade that makes up the interesting holistic approach to the architectural form has clearly been designed creatively and sensitively to respect the context of the site and the surrounding homes, streets and spaces. It will make a positive contribution to the place as it respects the local context and character of the area. I regard it to be an original and innovative design which would have a strong sense of place that is comfortable within its surroundings. The overall scale, massing density, height and mix of materials are in keeping with this urban area. I am confident that the building will be an attractive defining local landmark that enhances a main approach into the town centre.
163. In summary I am satisfied that the proposals would comply with policies CS1, CS9, SP1 and SP6 and the approach to the design of the building is of a high quality and I fully support the architecture and its detailing.

Landscaping & Public Realm Improvements

164. The proposals include some small external improvements for the very small areas around the edge of the building. As the building takes up almost all of the application site, this will include paving of the internal parking court and potentially some small trees and planting in the strip of space along the eastern boundary. The materials for the hard surfacing on the site will be addressed by condition.
165. There is a clear need to resurface Gravel Walk to improve its condition and to make it feel integrated with the scheme. This will help it feel more like a courtyard integrated with the development rather than a cut off and neglected section of highway which is currently how its perceived.
166. There is also potential opportunity to improve the surfacing of the footway around the perimeter of the building along New Street and Barrow Hill which is currently in a poor condition and does not provide a pleasant setting for the proposed building or existing buildings.
167. There is an opportunity to introduce a new street tree next to the loading bay to enhance the character of the street and provide a further screen between the development and Barrow Hill Terrace listed buildings.

168. All hard and soft landscaping with the highway should be addressed by a flexible condition to agree the full details provided the site utility constraints, costs and commuted sums are viable and can be negotiated and agreed with Kent County Council's Highways and Transportation team.
169. There is an existing traditional public house pole sign 'The Prince Albert' located approximately 2metres away from the application site from the edge of the footway along New Street. This is fixed on a substantial metal column and it is the intention to look at ways of restoring this sign as part of a public art feature linked to the changing local history of the area.
170. The 2m high metal palisade fence around the Lidl supermarket car park just beyond the southern and eastern boundaries of the site is particularly unsightly and will be very visible to the views of residents when accessing the site from Gravel Walk. It will also dominate the resident's views from their balconies. This fence is in separate private ownership and there is very little that can be insisted upon in this application. As Gravel Walk remains an adopted highway and established public right of way, no landscaping is possible to screen the fence according to Kent Highways & Transportation. I therefore intend to recommend a condition that seeks to encourage the developer to consider working with the owners of the fence to explore any simple ways of enhancing the appearance of this fence or screening views of it from the development. This might not be straightforward to secure so I will ensure the condition is flexibly worded to agree an approach or position in writing with the council.
171. I am content the design of the hard and soft landscaping will enhance the development in its setting and support the proposals on these grounds subject to conditions.

Impact on Highways & Parking

172. The site lies on the fringes of the town centre which offers many public car parks. New Street and the roundabout is covered by extensive double yellow lines, but the streets in Barrow Hill Place and Barrow Hill close to the site are covered by sections of double yellow lines and on street parking bays as part of a Controlled Parking Zone. This means that cars can only be parked on street in designated parking bays for longer than 2 hours unless they are a permit holder. Gravel Walk remains as an adopted highway and public right of way and the access and parking arrangements for the proposed development is acceptable
173. *Residential Parking* - The provision of 14 spaces for the 14 flats is acceptable for this edge of town centre site. The residents will be unable to park any other cars they own within close proximity of the site due the controlled parking zone and therefore the provision of 1 car parking space per flat is in

keeping with the Council's Residential Parking Standards SPD. I am happy that the proposals are acceptable on residential parking grounds.

174. *Commercial Parking* - There is no onsite parking provided for the commercial ground floor unit. In this town centre location this is deemed acceptable as public car parks and public transport is available for staff. The nearest public car park is at Edinburgh Road which is around 400metres away. For such a small scale commercial unit there would be expected to be very few customers. As pointed out the site lies in a controlled parking zone with extensive double yellow lines preventing on street parking in Barrow Hill for non-residents for any longer than 2 hours. Approximately 13 on street parking spaces exist at the far end of Barrow Hill in front of Barrow Hill Cottages for permit holders only and parking for up to approximately another 13 vehicles exists in Barrow Hill Place. Therefore with approximately 26 short term car parking spaces in Barrow Hill the local area could easily accommodate any short term customer parking on such a small scale and alternatives exist in other town centre car parks for visitors or customers who need to stay longer. The hours of opening of the commercial unit could be restricted to between 9am and 17:30pm (Mon-Saturday), 10-4 (Sundays) and no opening on public holidays to avoid any parking issues in evening when residents return home from work. Deliveries will also be restricted to opening hours only. I am satisfied that the scheme is acceptable in commercial parking terms.
175. *Parking Restriction Gravel Walk* - As Gravel Walk is still an adopted highway, the need to retain the double yellow lines is important to keeping it open and accessible. On street parking there would hinder access to proposed parking bays for the residents. This has been agreed with Kent Highways and ABC Parking Services and will avoid further parking problems in the immediate vicinity.
176. *Loading Bay* - A loading bay is provided on Barrow Hill to ensure the commercial unit is well serviced. The proposed single tree next to the bay will not affect visibility and is considered important to the appearance and character of the area, but it will be dependent on a survey of below ground location of utilities to establish if it is possible. This will be covered by condition pending further discussions with Kent Highways, regarding the location of services and commuted sums.
177. *Cycle provision* - The integral cycle store within the building is acceptable and the cycle stand serving the commercial unit is currently proposed adjacent to the loading bay and beneath the tree. However the precise location and detailing of these elements needs to be agreed with Kent County Council Highway & Transportation as they will be potentially located in the highway and commuted sums for maintenance would then also need to be secured through a highways agreement.

178. A number of conditions have been recommended by Kent County Council Highways and Transportation and I am therefore satisfied that the proposed scheme will be acceptable on highway grounds.
179. *Materials & Public Realm* - Following negotiations to try and agree a good quality public realm scheme to respect the character of the local area and setting of listed buildings some simple on site and external public realm and highway works have been discussed. In summary I consider its important that these works are include;
- grass to replace the tactile paving along New Street frontage
 - resurface the existing tarmac path along New Street
 - use block paving to the proposed entrances to the commercial and residential access
 - block paving aligned in Barrow Hill to the Western side to match the existing block paving.
 - the loading space to be tarmac to match the road
 - block paving transition into the Car park in a different colour to stand out and make pedestrians aware that its a crossing point
 - Gravel Walk to be either tarmac or block paving as its to remain as a public right of way
 - Block paving or suitable alternative to the undercroft parking areas.
 - Repositioning of the cycle stands in the footpath away from the commercial entrance with a single street tree.

A condition will cover these points to ensure further dialogue and agreement with Kent Highways.

Sustainability

180. As of the 18th July 2016, the Council no longer requires planning applications for residential development to comply with Core Strategy Policy CS10 'Sustainable Design and Construction' (2008) or guidance contained in the Council's Sustainable Design and Construction SPD (2012). This position is primarily based on the Housing and Planning Act which received royal assent on Friday 13th May 2016. The Act brings an end to the aspiration to deliver zero-carbon homes through the planning process, relying instead on building regulations to deliver energy efficient buildings.
181. The Council cannot propose planning policies that seek additional (to current building regulations) energy efficient or carbon reduction standards for new

dwellings. I am therefore not intending to seek carbon off setting contributions through s106 negotiations.

182. However with regards to water efficiency the Council will require residential development to comply with Policy ENV7 'Water Efficiency' of the emerging Local Plan 2030 which sets out

'All new residential development must achieve, as a minimum, the optional requirement set through Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day'.

A condition will be imposed to deal with water efficiency.

183. The small commercial floorspace falls well below the requirements regarding Breeam or Carbon Off setting.

184. Due to the small size of the site and the constraints on space it is very difficult to achieve a standard SUDs scheme within the application site. It is likely that the development will just reconnect to the existing services available on site. Kent County Council Flood and Water Management Team have requested conditions to establish a suitable drainage strategy to deal with 1 in 100 year stormwater peak run off rates and 20% climate change allowances to the satisfaction of Ashford Borough Council. Also they want to see a minimum we would expect to see evidence that a 50% reduction in the peak runoff rate, and have emphasised that post-redevelopment discharge rate must take account of the predicted effects of climate change. I am satisfied that the applicant's approach to surface water drainage is acceptable but I will liaise with Kent County Council Flood and Water Management Team over conditions.

Section 106 Contributions

185. Regulation 122 of the Community Infrastructure Regulations 2010 says that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- a. necessary to make the development acceptable in planning terms,
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development

186. The planning obligations required in this case, as requested by service providers, have been assessed them Regulation 122 in Table 1 below and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

187. The contribution requested by KCC Contributions of £7633 towards an upgrade of footpath AU72 is not considered appropriate as local street network shows it will not benefit the expected routes of residents of this development when walking to the green space who would naturally take a different route. I regard this as not reasonably related in kind to the development.

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
1	<p><u>Children's and Young People's Play Space</u></p> <p>Project: Improvements towards Quantock Drive play area</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>	<p>Necessary as children's and young people's play space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), Ashford Town Centre AAP policy TC27 (if applicable), Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use children's and young people's play space and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
2	<p><u>Informal/Natural Green Space</u></p> <p>Project: Project at St Mary's Field</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>	<p>Necessary as informal/natural green space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), Ashford Town Centre AAP policy TC27 (if applicable), Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use informal/natural green space and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
3	<p><u>Libraries</u></p> <p>Contribution for additional bookstock at libraries in the borough</p>	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	<p>Necessary as more books required to meet the demand generated and pursuant to Core Strategy policy CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as occupiers will use library books and the books to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because amount calculated based on the number of dwellings.</p>
4	<p><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	£1000 one-off payment	payment upon commencement of development	<p>Necessary in order to ensure the planning obligations are complied with.</p> <p>Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
5	<p><u>Strategic Parks</u></p> <p>Project: Conningbrook Lakes Strategic Park signage</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>	<p>Necessary as strategic parks are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2, CS18 and CS18a, Urban Sites and Infrastructure DPD policy U24 (if applicable), Public Green Spaces & Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use strategic parks and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
6	<p><u>Voluntary Sector</u></p> <p>Project: TBC.</p>	<p>£83 per dwelling</p>	<p>Upon occupation of 75% of the dwellings</p>	<p>Necessary as enhanced voluntary sector services needed to meet the demand that would be generated pursuant to Core Strategy policy CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), and guidance in the NPPF.</p> <p>Directly related as occupiers will use the voluntary sector and the additional services to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
<p>Regulation 123(3) compliance: Fewer than five planning obligations which provide for the funding or provision of the projects above or the types of infrastructure above have been entered into.</p> <p>Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</p>				

Human Rights Issues

188. I have also taken into account the human rights issues relevant to this application. In my view, the “Assessment” section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

189. In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

Conclusion

190. The scheme is acceptable in principle providing 14 residential units and a small scale commercial use.
191. The original proposals have been amended slightly and I consider the general layout and design is well designed and would result in a high quality development on a very small brownfield site.
192. The building is no longer listed and the loss of the former public house buildings is acceptable in principle and I am satisfied the proposals would not harm the setting of the nearby listed buildings.
193. The scheme is acceptable as it has no detrimental impact on residential amenity of existing residents.
194. The proposals would provide sufficient parking provision.
195. The proposal accord with the Development Plan as a whole as a whole and the emerging policies in Draft Local Plan and the NPPF. In accordance with the NPPG a number of conditions detailed in the report above are required to ensure the development fully complies with policy.

Recommendation

Permit

(A) Subject to the applicant first entering into a Section 106 agreement/undertaking in respect of planning obligations as set out in Table 1, in terms agreeable to the Head of Development Management and Strategic Sites or the Development Control Managers in consultation with the Corporate Director (Law & Governance), with delegated authority to either the Head of Development Management and Strategic Sites or the Development Control Managers to add or remove or make changes to the planning obligations and planning conditions, as they see fit.

(B) Permit:

Subject to the following conditions and notes:

Implementation

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with approved plans

2. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

3. The development shall be made available for inspection, at a reasonable time, by the local planning authority to ascertain whether a breach of planning control may have occurred on the site (e.g. as a result of departure from the plans hereby approved and/or the terms of this permission).

Reason: In the interests of ensuring the proper planning of the locality and the protection of amenity and the environment, securing high-quality

development through adherence to the terms of planning approvals, and ensuring community confidence in the planning system.

Materials

4. Samples of all materials shall be provided on site for discussion with the Local Planning Authority. Thereafter written details of the agreed materials including source/ manufacturer and samples of all bricks, stone, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority within one month of the commencement of construction works and thereafter shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

External Fixtures & Equipment

5. Full details of the location, design, appearance and material of any external fixtures and equipment located on the building or sited within the car park shall be submitted to and approved in writing by the Local Planning Authority within three months of commencement of construction works. The details shall include anything above ground level including;

- Lighting
- Signage,
- Intercom System
- Security, alarms or CCTV cameras
- Post collection
- Gas
- Electricity
- Water
- Telecommunications
- Cables & Pipework
- Vents, grilles or flues

Thereafter shall be carried out in full accordance with these approved details.

Reason - To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

Architectural detailing

6. No development above ground floor slab level shall be commenced until the following details have been submitted to and approved by the Local Planning Authority in writing:-
- (a) 1:20 scale details of eaves, coping and roof detail
 - (b) 1:20 details of vertical cladding panels including dimensions, overlaps, joint details and fixing methods
 - (c) Details of any external rainwater goods.
 - (d) Boundary wall details
 - (e) All joinery including the glazed stair cores.
 - (f) All proposed gates including style, detailing and final finish colour
 - (g) Brick and ragstone laying patterns, mortar specification and colour
 - (h) Brick bond and decorative brick work bands including vertical brick courses and window surround details
 - (i) Ragstone wall details to ground floor
 - (j) 1:10 and 1:20 details and sections of the aluminium window frames to residential units and shopfront including doorframes
 - (k) 1:20 details of the balconies including materials, balustrade, railings fixings and soffit's including the integral timber louvres act as privacy screens.
 - (l) 1:20 details and sections of the recessed infill sections to show edge treatment and depth of recess from the facade
 - (m) Details of the projecting section sufficient to show the frame and edges with confirmation that materials will neatly wrap continuously around the soffit/underside of the overhang, or details of a high quality alternative.
 - (n) Details of all supporting columns including materials, finish and colour
 - (o) Depth of window reveals
 - (p) Glass balconies enclosures

- (q) Parapet capping, materials and fixings
- (r) Details of down pipes and guttering to match the colour of joinery
- (s) Stair core glazing, joinery and infill panels
- (t) External doors to cycle store and bin stores
- (u) Ventilation grills to car park
- (v) 1:20 details of the location, set back, colour and specification of any expansion points or weep holes
- (w) Rooftop fixtures or equipment

Thereafter, the development shall only be constructed in accordance with the approved details and all approved details shall be retained unless any variations have been approved in writing by the Local Planning Authority.

Reason: Further details are required in order to ensure that the external fine detail of dwellings is of a high design quality.

Residential Amenity

7. No construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) with no working activities on Saturday, Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy CS1 of the Local Development Framework Core Strategy.

8. The ground floor commercial premises shall be used for A1, A2, A3, or B1 and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 2005 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking or re-enacting that Order.

Reason: In order to preserve the amenity of the locality.

9. The hours of opening of the ground floor commercial unit shall be limited to between 9:00am and 17:30pm (Monday to Saturday) and 10am and 4pm (Sundays) and the premises shall remain closed on Public Holidays, unless otherwise agreed in writing with the Local Planning Authority. Deliveries to

the ground floor commercial unit shall only take place during the agreed opening hours.

Reason: In order to preserve the amenity of the locality.

Noise and vibration insulation

10. Prior to the occupation of the residential and also commercial units, a scheme for the control of noise and vibration of any plant (including double glazing ventilation, refrigeration, air conditioning and air handling units) to be used in pursuance of this permission and in accordance with the recommendations of the Able Acoustics report dated June 2017, shall be submitted to and approved in writing by the Local Planning Authority. This shall then be installed prior to the first use of the premises. The equipment shall be maintained and operated in compliance to the approved scheme whenever it is operation. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority

Reason: To prevent the transmission of noise and vibration into any neighbouring properties to protect amenity

Commercial premises

11. Prior to the first operation of the commercial premises, a scheme and maintenance schedule for extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises (if undertaken), shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: To prevent the transmission of fumes and odours into neighbouring properties to protect amenity

Sign restoration

12. Within 6 months of the commencement of construction works. of a proposed scheme for the retention and restoration of the existing public house pole sign and the intended use of the external 'Prince Albert' lettering to be retained within the scheme, shall be submitted to and agreed in writing with the Local Planning Authority, and be in place before the first occupation unless otherwise agreed in writing with the Local Planning Authority

Reason ; To ensure the quality of development indicated on the approved plans is achieved in practice.

Cleaning & Maintenance Strategy

13. Before the development is occupied a cleaning maintenance strategy for all the external elements of the building shall be submitted to and agreed in writing with the Local Planning Authority. This shall include the different method and techniques of cleaning the different materials and frequency they are cleaned

Reason : To ensure the building is maintained to a high standard.

Highway

14. The area shown on the drawing 08324-A-L-(00)-X-0257 Rev P4 (Proposed Ground Floor Plan) as vehicle parking space, loading bay for commercial use and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users

15. Within 3 months of the commencement of construction works, details of measures to prevent the discharge of surface water from the private parking spaces onto the highway shall be submitted to and agreed in writing with the Local Planning authority. It shall be provided prior to the occupation of any of the apartments hereby permitted and thereafter they shall be permanently maintained for this use.

Reason: In the interest of highway safety

16. The provision and permanent retention of the vehicle parking spaces and turning space shown on the drawing ref 08324-A-L-(00)-X-0257 Rev P4 (Proposed Ground Floor Plan) shall be provided prior to the occupation of any of the apartments hereby permitted. Thereafter they shall be permanently maintained for this use.

Reason: To ensure the provision and retention of adequate off-street parking facilities for vehicles in the interests of highway safety.

17. The completion of the access details shown on the submitted plans shall take place prior to the occupation of the development hereby permitted and shall thereafter be permanently maintained for this use.

Reason: In the interest of highway safety

18. The provision of the cycle parking facilities shown on the submitted plans shall be provided prior to the use occupation of the development hereby permitted and shall thereafter retain permanently for this use.

Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety.

19. No occupation of the development shall take place on the site until details showing reasonable endeavours by the applicant/developer to support the implementation of a Traffic Regulation Order (TRO) providing double yellows on the whole of Gravel Walk have been submitted to and agreed in writing by the Local Planning Authority. Thereafter its implementation shall be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.

Reason: In the interest of highway safety

20. No occupation of the ground floor commercial unit shall take place until the existing controlled parking zone on the footway on Barrow Hill has been re-located in accordance with details to be submitted and agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety

Community

21. Prior to any above ground construction commencing, details of how the developer intends to liaise with and keep local residents informed about the development for the duration of the construction period shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented and maintained for the duration of the construction otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public engagement.

Construction

22. Prior to development commencing, details shall be submitted to and approved in writing by the Local Planning Authority which shows the location of the proposed site compound and lorry routing to the site from (insert name of main road). The site compound and lorry routing shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority, and shall be retained as such for the duration of the works hereby approved.

Reason: In the interests of highway safety and the amenities of neighbouring residents

23. Prior to development commencing, a construction management plan shall be submitted to and approved by the Local Planning Authority in writing and include;
- (i) location of the site compound and routing of construction and delivery vehicles to / from site from the A292 to 109 New Street Ashford. The site compound and lorry routing shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority, and shall be retained as such for the duration of the works hereby approved.
 - (ii) details of parking and turning areas for construction vehicles, delivery vehicles and site personnel.
 - (iii) Details of temporary traffic management signage.
 - (iv) details of access points, loading / unloading and turning areas for all construction traffic,
 - (v) Timing of deliveries
 - (vi) details of proposed dust suppression, odour suppression and vapour suppression methods,
 - (vii) details of proposed surrounding fencing / hoardings to any compounds,
 - (viii) details of proposed structures to be located within compounds and any proposed lighting (including measures to limit light spillage to the public any highway and to nearby residents), and
 - (ix) details of any plant, equipment and machinery to be installed as part of the compound including details of hours of operation and noise during operation shall be submitted to and approved in writing by the Local

Planning Authority (in consultation with the local highway authority) and thereafter the approved details shall be provided prior to the commencement of development and retained for the duration of the construction of the permitted development unless the Local Planning Authority has agreed otherwise in writing.

Reason: To ensure provision of adequate off-street parking, loading and turning facilities for vehicles in the interests of highway safety and to protect the amenities of local residents in accordance with policy.

24. Before any demolition on-site clearance commences, a Scheme of Minimum Environmental Requirements for Demolition (SMERFD) shall be submitted to and approved in writing by the Local Planning Authority in writing. Thereafter, demolition and on site clearance works shall be implemented in accordance with the SMERFD. The matters to be addressed in the SMERFD shall include the following;

- (i) Code of Construction Practice, and
- (ii) Hours of working for demolition and noisy activities and details of the installation of any large equipment such as cranes relating to those works.

Reason: To ensure that the impacts of demolition on adjoining areas are minimised for the benefit of the local environment and the amenities of nearby residents.

25. Before any construction commences a Scheme of Minimum Environmental Requirements for Construction (SMERFC) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall be implemented in accordance with the SMERFC. The matters to be addressed in the SMERFC shall include the following;-

- (i) design, implementation and protection of any landscaping to be retained to relevant British Standards,
- (ii) Considerate Contractors / Code of Construction Practice,
- (iii) methodology of protecting existing and new trees to the relevant British Standard during construction, and
- (iv) a method statement for any piling or other noisy construction activities, or the installation of any large static construction equipment such as cranes.

Reason: To ensure that the impacts of construction on adjoining areas are minimised for the benefit of the local environment and the amenities of nearby residents.

26. Prior to the commencement of development, details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances at the application site, shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall then be provided prior to the works commencing on site and thereafter shall be maintained in an effective working condition and used before vehicles exit the site and enter onto the adopted highway for the duration of the construction works.

Reason: To ensure that no mud or other material is taken from the site onto the neighbouring highway by wheels of vehicles leaving the site to the detriment of highway safety and the amenities of local residents.

Bin Store and cycle store detail

27. No apartment shall be occupied until the details identified below have been submitted to and approved by the Local Planning Authority in writing and subsequently provided (in accordance with the approval) available for use by the occupiers of the apartment block:-
- (a) details of secure access arrangements to the integral bin store, including opening / closing hardware (FB1 or FB2), stays or catches to lock double opening doors back in an open position at collection time, amenity lighting and hose down/cleaning facilities, and
 - (b) details of secure access arrangements to the integral cycle store, nature of secure storage racks & anchoring points and amenity lighting.

Thereafter, unless the Local Planning Authority has given written approval to any variation, the approved arrangements in relation to (a) and (b) above shall be retained in working order.

Reason: No such fine details have been provided. The fine detail of these stores is important to ensure that the spaces are secure and safe for use.

Water efficiency

28. The apartment building hereby permitted shall achieve the minimum optional requirement set out in the Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day.

Reason: In order to carefully manage water supply given the level of household demand relating to available resource.

Drainage

29. Development shall not begin until a details of the 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 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 within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a timetable for its implementation,
- a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the drainage system throughout its lifetime.

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 site flooding. These details and accompanying calculations are required prior to the commencement of the development and helps to ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

Landscaping

30. Within 6 months of the commencement of construction works full details of both hard and soft landscape works on the site and in close proximity shall have been submitted to and approved in writing by the Local Planning Authority, following joint discussions with Kent Highways and Transportation. These details shall include

- proposed finished levels or contours;
- means of enclosure;

- car parking layouts;
- hard surfacing materials;
- areas of planting
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units,
- signs,
- lighting
- proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc);

Thereafter these works shall be carried out as approved unless previously agreed otherwise in writing by the Local Planning Authority.

Reason: In order to protect and enhance the amenity of the area.

31. Within 6 months of the commencement of construction works the full details of soft landscape works required in condition **30** above shall have been submitted to and approved in writing by the Local Planning Authority, following joint discussions with Kent Highways and Transportation.. These details shall include

- a) planting plans;
- b) written specifications (including cultivation and other operations associated with plant and grass establishment);
- c) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- d) tree pits including root protection details
- e) an implementation programme.
- f) A landscape management plan

Thereafter these works shall be carried out as approved unless previously agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area and to ensure its properly maintained in the interest of the amenity of the area.

32. All hard landscape works shall be carried out prior to the occupation of any part of the development and soft landscaping works shall be carried out within 6 months of the first occupation or in accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area.

Root protection

33. Development shall not begin until details of how any trees overhanging the site shall be protected during any operation on site in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) have been submitted to and agreed in writing with the Local Planning Authority. Thereafter any such tree root protection measures required shall remain throughout the period of demolition and construction. Thereafter no materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees unless otherwise agreed in writing with the Local Planning Authority;

Reason: In the interests of good arboricultural practice and in order to protect and enhance the appearance and character of the site and locality.

Fibre to the premise condition:

34. Prior to the first occupation, details including plans, shall have been submitted to and approved by the Local Planning Authority in writing for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of the building unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP).

Reason: To ensure that the new development in Ashford is provided with high quality broadband services enhancing Ashford as an attractive location in accordance with Policy EMP6 of the Ashford Local Plan 2030.

Note to Applicant

Working with the Applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the application was acceptable as submitted and no further assistance was required.
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

The applicants attention is drawn to the comments received from Southern Water

This development is also the subject of an Obligation under Section 106 of the Town & Country Planning Act 1990 which affects the way in which the property may be used.

Kent Highways Note

It should be noted that the proposed cycle stands on the footway on Barrow Hill will require a Section 50 licence for private apparatus within the public highway. The drop-off / deliveries layby, re-surfacing of the footway on Barrow Hill and new grass planting on the existing paving will be subject to a Section 278 Highways Agreement with Kent County Council Highways and Transportation.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 17/01118/AS.

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Annex 1 DESIGN REVIEW PANEL LETTER 12th May 2017



Design Review

**Prince Albert
Public House
New Street
Ashford**

12 May 2017

Annex 1 DESIGN REVIEW PANEL LETTER 12th May 2017



Former Prince Albert Public House, New Street, Ashford
Reference: 624-951

Report of Design Review Meeting

Date: 20 April 2017

Location: International House, Dover Place, Ashford, Kent TN23 1HU

Panel

Liz Gibney (Chair), Urban Designer
Robert Barker, Architect
Luke Engleback, Landscape Architect
Don Gray, Architect
Richard Hawkes, Architect

Presenting team

Ben Prince, Lee Evans Partnership LLP (Project Architect)
Giles Taylor, Lee Evans Partnership LLP (Project Partner)

Other attendees

Richard Alderton, Ashford Borough Council
Mark Chaplin, Ashford Borough Council
Cllr Mick Burgess, Ashford Borough Council
Cllr Graham Galpin, Ashford Borough Council
Gopi Lingham, Whitehaven Estates Ltd
Cathy McNab, Lee Evans Partnership LLP (Planner)
Richard Langley, J Skitt and Sons
Lisa Rue, Landscape Architect Intern (observer)
Sarah Brown, Design South East

Site visit

A full site visit was conducted by the Panel ahead of the review

This report is confidential as the scheme is not yet the subject of a planning application

Annex 1 DESIGN REVIEW PANEL LETTER 12th May 2017



Summary

This is a well-considered design which has resulted from an appropriate analysis of the context and consideration of how the building will be approached and viewed. The Panel was grateful for a very clear presentation from the architects and we were glad to see the working model of the emerging proposals, which greatly aided our understanding of the project.

The scale and massing of the building is appropriate for this location and the articulation breaks down this mass successfully. The building form and materials also draw on this thorough analysis and are therefore appropriate.

We are therefore generally supportive of this proposal and our comments below are intended to suggest further improvements or exploration of options.

Background

This is a proposal for 14 new apartments and ground-floor commercial space on the site of the former Prince Albert Public House site at the roundabout on the A292 leading into Ashford Town Centre. The site is roughly 500 metres from Ashford Town Centre to the south east.

The Prince Albert Public House was a listed building until 18 months ago but Historic England have accepted the principle of the demolition of the Public House. The application for the demolition of The Prince Albert Public House has been submitted.

Gravel Walk off of Barrow Hill provided vehicle access to the Public House but is Highway land outside of the site boundary. It is proposed that Gravel Walk will be maintained as an access point for residential parking and this is to be discussed further with Kent Highways.

Layout

We understand the argument for the current positioning of the commercial ground floor unit on the western aspect along Barrow Hill to discourage antisocial behavior with more active frontages. We also understand the positioning of the central access cores on the northern aspect facing on to the roundabout, which is the least appealing position for apartments.

However, the ground floor layout is not wholly successful and the plan could be interrogated further. Four units are proposed on the first four levels with an additional two units on a fifth level. Buildings above four floors require an alternative escape/access route, but if still compliant with fire regulations, we wonder if there is an opportunity to remove the additional staircase on lower levels and link the staircases to create more apartment space and flexibility with the ground floor layout. If this was achieved the possibility of switching the positions of the commercial and residential space might be explored. This would have the benefit of opening up the commercial unit to the roundabout and the northern aspect to draw people in from the town centre.

The commercial space at ground floor is a positive addition but always brings a worry that a suitable tenant might not be found or might not last in this location. This will partly depend on expectations as to rental returns from the commercial space. A 'plan B' to occupy this ground floor space should commercial use prove unviable should be considered.

Annex 1 DESIGN REVIEW PANEL LETTER 12th May 2017



The balconies generally have a good orientation to provide daylight and a private setting away from the main road. The southern aspect top floor living space could be expanded to the edge of the proposed balcony space. This would prevent overlooking of the balcony from the east facing residential unit, as well as create a bigger apartment. The amenity space for this unit could then wrap around the building to the west.

Access and site boundaries

Gravel Walk provides the principal access and parking for residents. Not using tarmac for this access will create a private look for the space. Undercroft parking is needed to accommodate the 14 parking spaces as requested in the brief. Some parking will come straight from Gravel Walk and some from inside the undercroft. Without this undercroft space only 10 parking spaces would be provided. Kent Highways are happy with this access in principle. A delivery drop off and loading space is also proposed on Barrow Hill.

We are concerned whether the proposals for the eastern edge of the site will be deliverable given that details still need to be discussed with Kent Highways. Options for including rain gardens up against the road and tree planting cells should be explored.

Despite the necessary hard surfaces to the rear, opportunities to introduce more planting, with its benefits to biodiversity might be explored. A pergola or wires over the exposed areas of car parking would help to soften the views from the balconies, encourage birdlife and provide shading to cars.

Materials

The design team has considered different view-points for the site from different approaches, not just the roundabout. This was a strong start to the design process.

We feel the materials being considered are appropriate for this site and the use of different elements and lighter materials help disguise how deep the building is. Brick will be used for the block mass, as an acknowledgement of the Barrow Hill Terrace. Rendering raises a potential maintenance issue, so timber is being considered to break up the southern elevation creating a softer appearance for residents along Barrow Hill. Vertical metal slatted balconies are proposed instead of glazed balconies to stop potential clutter being viewed from the street.

We wonder whether there might be some confusion between the glazed fronted commercial units and the similar approach being taken to the access to the residential area. Perhaps another choice for the residential access would be more legible.

Annex 1 DESIGN REVIEW PANEL LETTER 12th May 2017



This review was commissioned by Whitehaven Estates Ltd with the knowledge of Ashford Borough Council.

CONFIDENTIALITY

Since the scheme was not the subject of a planning application when it came to the Panel, this report is offered in confidence to the addressee and those listed as being sent copies. There is no objection to the report being shared within respective practices/organisations. DSE reserves the right to make the guidance known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed to remain confidential, this report will be publicly available if the scheme becomes the subject of a planning application and to any public inquiry concerning the scheme. DSE also reserves the right to make guidance available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please let us know.

Annex 2 HISTORIC ENGLAND - CASE 1434113 - DELISTING LETTERS

Historic England

Advice Report

08 May 2016

Case Name: De-listing: Prince of Orange Public House, Ashford, Kent

Case Number: 1434113

Background

Historic England has been asked to consider de-listing the Prince of Orange Public House, No. 111 New Street, Ashford. The building was originally listed on 4 June 1976 at Grade II. It closed as a pub in 2008 and the southern part of the building was badly damaged by a fire in March 2014. The owner is in preliminary planning discussions with the local authority for the development of the site involving the demolition of the building.

Asset(s) under Assessment

Facts about the asset(s) can be found in the Annex(es) to this report.

Annex	List Entry Number	Name	Heritage Category	HE Recommendation
1	1300033	The Prince of Orange Public House	Listing	Delete from List

Visits

Date	Visit Type
10 March 2016	Full inspection

Context

The Prince of Orange is connected to another pub, the Prince Albert, No. 109 New Street, by a link building. It is possible that the Prince Albert may be regarded as a part of the listed building, by the local authority, but it did not form part of the original listing and so does not form part of this assessment except in so far as it relates to the Prince of Orange.

The local authority has issued a Section 215 Untidy Land notice (EN/15/00055) on the building but have confirmed that they are not considering additional enforcement action. The building is not within a conservation area. The Department for Culture, Media and Sport has confirmed that we may proceed with the assessment.

Our assessment is based on evidence of the building seen after the fire, when access to some areas was not possible. We have however also referred to previous reports of its historic structure in making our recommendation.

Assessment

CONSULTATION

The owner and their representative, the local authority, the Ancient Monuments Society (AMS), the Georgian Group (via the AMS) and the Historic Environment Record were all consulted. A number of responses were subsequently received from interested parties including local councillors, members of the public, Ashford

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Borough Museums Society and the Kent Historic Buildings Committee. Substantive replies were received from the Georgian Group and Kent Historic Buildings Committee.

The local authority commented that the building is 'important locally' and that they understood that the fire damage to the first storey and roof was substantial and that, sadly, this was part of the building retaining most of the original heritage interest – the ground floor having been largely stripped out'.

The Georgian Group strongly urged that the building remain on the List and considered that repairs should have been undertaken following the fire, a matter they raised with the local authority. They noted the loss of the door case but made no other substantive comments regarding the Consultation Report. The AMS also urged retention on the List.

The Kent Historic Buildings Committee also strongly opposed de-listing of the building. It believes that the fire damage is not so great that it rules out restoration, and made a number of comments on the Consultation Report based on information provided by two local historians. These were as follows:

They questioned the date of the building given in the Consultation Report as early or mid-C19 stating that 'historians are of the opinion that the building was originally late-C16 or early-C17, originally with oak framing'. A C17 date is supported by Kent Archaeological Society records of historic tenure. These, although not complete, trace the occupiers of No. 111 New Street, originally known as the Fountain and later the Prince of Orange back to 1680. The Committee states that 'over the years the property was probably developed from a beer house and has been largely altered through the centuries'. They note the survival of the Kent peg tile gabled roof, Georgian eaves cornice and, until recently lost, the fan light and Doric columned door case which is of possibly early-C18 date. They state that its loss has revealed bricks of pre-Victorian dimensions together with evidence of oak timbers, again indicating that the building dates back to an earlier period. The oak timbers appear to be re-used, a common practice in the C17, less so in the C19.

The Committee questions the statement in the Consultation Report that the building does not appear on the 1843 Tithe map. They state that a building appears on the site at the corner of what is now New Street and Magazine Road/Barrow Hill both on the tithe map and also the Mudge map of 1801 and the Andrews map of 1769. They note that the lack of reference to the Prince of Orange in street directories of Ashford prior to 1938 can be attributed to the fact that many commercial street directories are not complete.

HE Response: given the additional evidence provided by the Committee, and looking again at the 1843 Tithe map, it is accepted that a building stood on this site from at least the late-C17 and that some of the core fabric that remains is probably of C18 date or earlier. Our description of the building has been amended to reflect this. As the Committee noted the building has been greatly altered over the centuries and this is discussed further below.

The other items of correspondence were received from interested parties. These were either in support of, or opposed to, the de-listing but did not make any substantive comments on the content of the Consultation Report.

DISCUSSION

The Prince of Orange is of possible C17 origin with the oldest part probably being the, now truncated, (north-south orientated) western range. The east-west northern range is later but is probably of C18 date. A pair of north-south ranges, parallel with the western range are probably of early-C19 date but extended south in the mid-C19. Single-storey flat-roofed ranges to the south are C20.

The Principles of Selection for Listing Buildings (March 2010) state that buildings dating from before 1700, that contain a significant proportion of their original fabric are listed; from 1700 to 1840, most buildings are listed; after 1840, because of the greatly increased number of buildings erected, a standardisation of architectural treatment, and the much larger numbers that have survived, progressively greater selection is necessary. As a former dwelling constructed in the vernacular tradition, the Historic England Listing Selection Guide for Vernacular Houses (April 2011) provides more specific guidance on the factors to be considered when assessing the special interest of a vernacular house. These include the architectural quality, the retention of the plan form and circulation, and normally that the building and its fixtures and fittings survive intact or nearly so. In particular, the Selection Guide states that often the outcome of an assessment of special interest will hinge upon the extent and impact of alteration, and the proportion of historic fabric that survives. In general, losses of fabric or of elements of a building are commonplace and do not necessarily preclude designation; however, when these losses are extensive the case for designation may be significantly weakened. In addition, the Historic England Listing Selection Guide for Commerce and Exchange Buildings

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(April 2011) provides criteria for listing public houses. Although these relate primarily to purpose-built pubs dating from after the mid-C19, it is noted that commercial premises are intrinsically prone to change and alteration and cannot be expected to survive in their original configuration. Careful assessment is therefore needed as to whether enough survives for designation. Façades can sometimes be sufficiently interesting or rare architecturally to warrant listing even if the interior has been substantially altered or lost and vice versa. Other considerations include rarity, quality and survival of interiors, signage and community interest.

The Secretary of State will remove a building from the List if it no longer meets the statutory criteria for listing. This may be because of new evidence about the special architectural or historic interest of the building, or a material change of circumstances (for example, fire damage that has affected the special interest of the building). Only a building's architectural or historic interest can be taken into account when considering an application for de-listing.

The special architectural and historic interest of the Prince of Orange, New Street, Ashford was recognised by its inclusion on the List in 1976 for its believed early-C19 date. Principally documentary evidence has been provided following the consultation process that suggests the origins of the building are older than this, possibly dating to the late-C17. The subsequent history of the building, involving its gradual evolution from multiple dwellings, via its partial use as a beer house, into a unified public house (and eventual incorporation of the adjoining Prince Albert public house) is complex and involved the alteration of, and addition to, the original building in multiple phases. Consequently the extent of early, potentially C17 fabric, is uncertain. It is clear that the southern end of the western range, probably the oldest part of the building, was truncated in the 1960s, altering its roof line and removing its southern wall. This end of the building was badly damaged by the 2014 fire with the pitched and hipped roofs and upper floors of the later parallel ranges to the east also partly destroyed. The majority of the roof and the eaves cornice of the principal north and west ranges survive, although the roof of the north range has machine-cut trusses indicating that it had been re-roofed. The fire, and subsequent vandalism of the building, has, however, resulted in the loss much of the sash window joinery and some particular features of note such as the C18 Tuscan door case and fanlight. The addition of the C20 bays to the northern elevation, present at the time of listing, and flat single-storey extension at the rear have cumulatively detracted from the overall character and legibility of the historic building.

Although not described in the original list description, internally the building is greatly altered and little of interest now remains. The ground floor plan has been lost as a result of successive phases of modernisation, some made with listed building consent, after the building was listed. The building has been opened up at its eastern end, to facilitate the link with the Prince Albert, with the loss of the original wall and insertion of unsightly concrete structural reinforcement and modern bar fittings. Apart from chamfered ceiling beams at the north-western end of the building and the partial survival of one C19 fireplace, no original features or historic bar fittings remain. The first floor has also been altered and no historic joinery or other features of interest survive. As on the ground floor, the original plan form is no longer readable here. There has been extensive damage to the lathe and plaster ceilings and the southern part of the first floor has been partly destroyed by fire. Inspection of the attic floor of the western range was not possible because of the deteriorating condition of the building but photographs in the Tugby and Tugby Defects and Repairs Report of 9 February 2016 reveal that the roof structure appears largely intact with wall plates remaining in at least one of the rooms. This survival is not, however, of sufficient interest in itself to outweigh the heavy loss of other fabric throughout the building, both through fire damage and previous alteration.

As it survives today, the Prince of Orange does not retain sufficient remaining early fabric, architectural features or surviving plan form to merit listing. As a vernacular building, although the basic structure of the older ranges of the building survives relatively intact despite the fire damage, its special interest has been compromised by truncation, alteration, loss of the original plan and removal of virtually all period features and detailing, both internal and external. As a public house it has no interior bar fittings or layout of interest which would warrant its retention on the List as a historic pub interior. One of many pubs on New Street which developed to cater for the Army garrison established in Ashford from 1797, the building has no claims to special historic interest in a national context.

Although decisions to remove buildings from the List are never taken lightly, in this case it is clear that the combination of fire damage, subsequent vandalism and prior extensive alteration is such that the surviving structure no longer meets the criteria for designation, and therefore, the Prince of Orange should be removed from the List.

CONCLUSION

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After examining all the records and other relevant information and having carefully considered the architectural and historic interest of this case, the criteria for listing are no longer fulfilled. It is recommended that the Prince of Orange, 111 New Street, Ashford is removed from the List.

REASONS FOR DESIGNATION DECISION

The Prince of Orange, 111 New Street, Ashford, a public house with late-C17 origins, much altered and badly damaged by fire, is recommended for removal from the List for the following principal reasons:

- * Loss of fabric: following a fire in 2014 and subsequent vandalism, the building has lost many of its significant elements, including part of the roof structure, the southern part of the central ranges, window joinery and the C18 Tuscan doorcase and fanlight, to the detriment of its architectural and historic integrity;
- * Plan: the ground floor has lost its historic divisions due to modernisation so that the plan form is no longer recognisable;
- * Internal survival: other than some ground-floor ceiling beams and partial remains of one C19 brick fireplace in the earliest part of the building, the building does not retain any historic fabric or pub fittings of special interest;
- * Degree of alteration: modern single storey additions to the rear and the incorporation of the adjoining Prince Albert pub have had a cumulative impact on the character and legibility of the historic building;
- * Historic interest: one of many pubs on New Street which developed to cater for the Army garrison in the town in the C19, the building has no claims to special historic interest in a national context.

Countersigning comments:

Agreed. We do not recommend de-listing lightly, and have taken particular care to consider all the information and views submitted to us, particularly to claims for an earlier date for the building. However, the extent of early fabric is not sufficient to counter the combined effects of cumulative alteration and fire damage. The Prince of Orange public house should therefore be removed from the statutory List.
P Trevor
27.4. 2016

Second Countersigning comments:

Agreed. We considered the views of all consultees very carefully, but have concluded that a significant proportion of the historic fabric no longer remains, and the building no longer meets the criteria for listing. SG
27/4/16

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Annex 1

Factual Details

Name: The Prince of Orange Public House

Location: 111, New Street, Ashford, Kent,

County	District	District Type	Parish
Kent	Ashford	District Authority	Non Civil Parish

History

Manor records trace a building on this site back to at least 1680. At some point part of the building was in use as a beer house known as the Fountain, later changed to the Prince of Orange. The building appears on the 1843 Tithe map of Ashford and is also probably indicated on the earlier Andrews map of 1769 and the Mudge map of 1801. On a map of the town dating from 1853, it appears to comprise two adjoining (north and south) dwellings with associated ancillary ranges to the east. The southern plot extends further south than the current footprint. The 1872 Ordnance Survey town plan, however, shows the main building split between a large L-shaped property to the north with the southern section, fronting onto Barrow Hill and extending along Gravel Walk, divided into three, or perhaps, four plots. The previous ancillary buildings to the east appear to now form a separate property along New Street with a cluster of ancillary structures to the south. Neither No. 111 nor No.109 are labelled as public houses (unlike the Engineer Inn directly to the south) although the 1866 street directory lists both being occupied by beer retailers. The 1898 OS map shows the same multiple partition of No. 109 with the main corner range marked as a public house. By the time of the 1933 OS map the range fronting onto New Street is now shown as a single property but the multiple division of the rear of the building remains.

The 1938 Kelly's Directory gives the names of No. 111 as the Prince of Orange and No. 109 as the Prince Albert. The 1958 OS map shows the rear partitions of the building amalgamated into a single property numbered as 82 Gravel Walk. A narrow single-storey range now fills the space between Nos. 109 and 111 and a single-storey bay has been added to the eastern end of the north elevation. The two buildings are still marked as separate pubs. A detached block occupies the south-eastern corner of the site. On the 1969 OS map the Prince of Orange is finally shown as a united entity but the southern line of the building has been reduced by some 3m in depth. In 1983 a single enlarged bar area was created at the front of the building. In 1997 the name of the Prince of Orange was changed to O'Briens. Finally, between 1999 and 2002 the pub was extensively altered. The detached block at the rear was demolished and replaced by a new flat-roofed, single-storey range connecting the two pubs at the rear. Alterations were made to the layout of the rooms on the first floor. It appears that the two pubs were physically joined at this time and became a single establishment bearing the name the Prince Albert. The combined pub closed in 2008.

Details

Public house. C17 in origin. Originally at least two dwellings, one of which was a beerhouse by 1866. Consolidated as a single building by 1969 and known as The Prince of Orange. Merged with the adjoining pub, the Prince Albert, in 1999-2002.

MATERIALS: stuccoed brick. Clay tile roofs.

PLAN: L-plan principal ranges of two-storeys along New Street and Barrow Hill (plus attic) with a secondary two-storey range and, largely C20, single-storey infill connecting to the adjoining Prince Albert.

EXTERIOR: the principal range has a five-bay north elevation, fronting onto New Street, originally with four-over-four timber sash windows but these were damaged in the fire in 2014. The range has a hipped roof, partly fire damaged. The original division of the frontage between two dwellings is indicated by the regular spacing of the fenestration of the western three bays and the wider spacing of the two eastern bays. The C18 pedimented Tuscan doorcase to the western section was stolen following the fire leaving only its imprint. The eastern section has a pair of mid-C20 single-storey, flat-roofed, square bays with large timber six-pane fixed

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windows, flanking a central entrance. Adjoining the Prince Albert is a single-storey link building. The side (west) elevation again shows the original division of this part of the building. The northern end was originally blind but now has two C20 windows on the ground floor. The southern part, which was originally a separate dwelling, was of two bays. The northern bay has a narrow entrance with a key stone and originally a window above (now blocked). The southern bay has a timber two-over-two sash window to each floor. This western range has a central brick chimney stack and the roof (again fire damaged) is hipped at the northern end but half-hipped at the southern end. This is a result of the truncation of the range in the 1960s, as indicated by the map evidence. The southern elevation to Gravel Walk of the western range had timber sash windows (damaged in the fire) and an arched doorway.

Running parallel to the western range is an L-plan secondary range. This is of two-storeys with a gabled north-south roof and hipped projection. The southern part of the roof was badly damaged in the fire and the first floor partially collapsed. The southern end of this range was presumably truncated at the same time as the western range. The remainder of the south of the site is occupied by a flat-roofed, single-storey, late-C20 range continuing to the rear of, and linking to, the Prince Albert.

INTERIOR: The ground floor consists of a large bar area taking up the whole of the northern half of the building and linking through to the Prince Albert, which is at a lower level, at the eastern end. All earlier partitions have been lost and modern concrete pillars and beams have been introduced at the eastern end. There is a late-C20 elongated horseshoe-shaped bar counter with matchboard panelling. At the western end there is an open brick fireplace and some substantial chamfered timber beams. The southern half of the building has a run of three rooms along Gravel Walk but the eastern two have been badly damaged by the collapse of the upper floor caused by the fire.

The first floor consists of a series of rooms off an L-shaped corridor. The south-eastern rooms have been destroyed by the fire and access to the south-western rooms was not possible. The rooms to the north of the building do not display any features of note. Full access to the attic floor of the western range was not possible but surviving roof timbers of the western range appear to be original. Machine cut timbers to the eastern part of the northern range indicate a re-roofing of this part of the building.

There is a small cellar under the north-west corner of the building.

Selected Sources

Other

Heritage Collective - Advice note for the Prince Albert Public House, 109-111 New Street, Ashford (October 2013)

Lee Evans Partnership LLP - Heritage Assessment for the Prince Albert Public House, 109-111 New Street, Ashford (February 2015)

Tugby & Tugby Surveyors Ltd - Defects & Repairs Report for the Prince Albert Public House, 109-111 New Street, Ashford (9 February 2016)

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Map

National Grid Reference: TR0058743027



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Former List Entry

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: THE PRINCE OF ORANGE PUBLIC HOUSE

List Entry Number: 1300033

Location

THE PRINCE OF ORANGE PUBLIC HOUSE, 111, NEW STREET,

The building may lie within the boundary of more than one authority.

County	District	District Type	Parish
Kent	Ashford	District Authority	

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 04 June 1976

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

Legacy Number: 180000

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

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Details

1.5344

NEW STREET

(South-West Side)

No 111

The Prince of Orange

Public House TR 04 SW 3/85112. Early C19. 2 storeys stuccoed. Tiled roof with eaves cornice. 5 sashes and one blocked window space with glazing bars missing. Good doorcase with Doric columns, pediment and semi-circular fanlight. The right hand side has a modern bar extension. The rear elevation has 1 1/2 hipped gables and 1 plain gable and a round-headed doorcase. Listing NGR: TR0058143041

Selected Sources

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Historic England

Advice Report

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Map

National Grid Reference: TR 00581 43041



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