



## Planning Committee

Wednesday the 19<sup>th</sup> February 2020 at 7.00pm

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### Update Report for the Committee

The following notes and attached papers will be referred to at the meeting and will provide updated information to the Committee to reflect changes in circumstances and officer advice since the reports on the agenda were prepared

3. **Minutes** – To approve the Minutes of the Meeting of this Committee held on the 22<sup>nd</sup> January 2020,
  4. Changes to Delegations and Authorisations Granted by this Committee
  5. Requests for Deferral/Withdrawal
  6. Schedule of Applications
- (a) **19/00709/AS – Land at junction of Romney Marsh Road and north of, Norman Road, Ashford - Development of 212 flatted units, in six blocks, new vehicular and pedestrian access, internal estate road, footpaths and car parking, earthworks, creation of a new section of active floodplain and floodplain compensation for the development, sustainable drainage systems, open space and hard and soft landscaping.**

#### Errata

Elevations with paragraph 21 – the redline shows the height of the blocks prior to their amendment

Pages 46 & 55 – replace the reference to '234' units with '212' units

#### KCC Flood and Water Management

(a) Confirm no objection subject to planning conditions.

(b) Comment that it would be beneficial to maximise infiltration and that it is satisfied that a solution is available and can be accommodated within the design.

#### Further representations in support

2 letters of support received: the Ashford Railway Club & John Wallis Academy the main points of which are as follows;-

(a) The scheme would reduce flood risk for local people in Riversdale Road and Torrington Road.

(b) The scheme would provide new homes and more options and homes are crucial.

(c) The land is unused and there is a lack of green space in the area. Opening up the land and the river to create a park would benefit local people, especially children.

(d) Ashford is changing and for local businesses and community facilities to survive it is important that there are people living in the town who will use the facilities.

(e) The applicant has been active in the community and is recognised as a principled company that gives back to the local area.

(f) The developer has established a good relationship with the John Wallis Academy through career workshops and funding improvements to the school. The school strongly support the development at East Stour Park. The proposal would provide an opportunity for young people to purchase first homes and also affordable homes for local people.

(g) The scheme would provide job opportunities within the construction stage of the development, which would have a positive impact on the local economy supporting local trades and businesses within the town.

(h) The John Wallis Academy is in discussions with Quinn Estates over an apprenticeship scheme, and this project may provide the first opportunity for this to be realised.

(i) With the proximity to the newly extended Designer Outlet and other local businesses/services, it is important that developments such as this come forward, to help support the local economy.

#### Further representations in objection

4 further letters of objection received (one of which was copied by the objector to Committee Members). An objection has also been forwarded by Member Services and is attached at the end of this report as **Annex 1**). The main points raised are as follows:-

1. Building on the flood plain would put the existing community at risk.
2. The site is vital in terms of surface water run-off and controlled flooding and building on this land would force flood water to other areas and raise the flood risk at Torrington Road, Whitfield Road and Riversdale Road.
3. The development would increase traffic congestion.
4. The scope of the applicant's sequential test is unduly restrictive.
5. Given the size of development the area for consideration should not be restricted to the town centre.

6. No evidence is provided for the need for flats and the viability area for the provision of affordable housing should not limit the area of search.
7. The site fails the sequential test. Other benefits are not relevant to the test.
8. Other sites are available with a lower risk of flooding.
9. The fact that the developer states that the development would be complete in 2 years should be given no weight.
10. A Grampian condition is required for off-site flood mitigation.

#### Representation from the applicant

The applicant has provided a response from Q & A Planning to the objection letter copied to Committee Members and the wide ranging points therein concerning the application of the sequential test. A copy is attached at the end of this report as **Annexe 2**. In summary, the following points are made;-

- A) The applicant considers the application has been subject to an appropriate, pragmatic Sequential Test in accordance with the requirements of the NPPF and NPPG.
- B) It is considered entirely appropriate for the scoping of the sequential test to identify an area in which the sequential test will be applied for the development proposed, as explicitly stated in the NPPG and referenced in the appeal decision (para 44) that is referenced by the objector. The sequential test has therefore been carried out within an appropriate area.
- C) The Local Plan sets out a vision for the borough and the town of Ashford, with a focus on higher density development in the town centre wards of Ashford. The plan identifies a need for at least 1,000 homes to be built by 2030 that are not allocated in the plan nor have planning permission (windfall sites). Ashford forms the most appropriate location for windfall development, given its focus of employment, services and infrastructure and the ability to deliver regeneration in the town centre wards. The consideration of flatted development in these wards is therefore appropriate for the sequential test.
- D) The local plan allocations have been subject to detailed scrutiny and provide for wide ranging densities that reflect the nature of each site. East Stour Park was not put forward for consideration in the local plan, however, if it had been, Officers would have considered whether a density of 79 dph would be acceptable for the site. The NPPF and NPPG seek to ensure that the sequential test is undertaken in a pragmatic way to identify sites of a size that could accommodate the type of development proposed and the sequential test has been undertaken on this basis.

E) Consideration of other sites in flood zone 3a is not required by the sequential test, however in this instance, the FRA and detailed technical notes that have been endorsed by the Environment Agency demonstrate that the existing site is currently defended to a 1:75 level by the bund adjacent to the river (photo below), a higher level of protection than the surrounding properties in Riversdale and Torrington Road and, because of this, the site is not currently providing flood storage capacity, unlike other land nearby also in the Green Corridor.



F) The proposals seek to provide a higher degree of flood protection to the 212 flats proposed to 1:100 + climate change, whilst also providing betterment to nearby properties by providing flood storage on site by relocating the bund.

G) Regarding the other sites mentioned by the objector, these are largely considered in the existing sequential test papers and addendum report. A response to the Homeplus site has been provided to the Council by the applicant following the publication of the Committee report. This demonstrates that the Homeplus site is not suitable nor available for the development proposed (as required by the NPPF), being a significantly smaller site that is proposed for high density (over 200 dph) mixed-use development that includes commercial uses.

- (b) **19/00189/AS – Land west of Stonebridge House, Stonebridge, Brook - Outline planning application for the erection of three dwellings with all matters reserved.**

None

- (c) **19/00766/AS – Northdown House, 4 Station Road, Ashford, Kent, TN23 1PT - Change of use of B1 office to 24no. 1 and 2 bed residential units to include first and second floor extensions and roof extension above existing second floor together with works to include external treatments and fenestration alterations, car parking, basement and surface cycle parking, surface water storage tank and bin storage**

None

- (d) **18/01763/AS – Land between Stanley House and Long Meadow, Pluckley Road, Smarden, Kent - Erection of two detached 2 storey dwellings and creation of new vehicular access together with associated infrastructure.**

Correction to a typo in the planning committee report at the neighbour comments section.

- 15 neighbour objections were received at the time of writing the committee report, not 5.

Four further objections (one additional neighbour) have been received from local residents as summarised below:

- Development is out of keeping with area.
- Junction onto Pluckley Road is dangerous.
- Impact on wildlife.
- Increased in traffic.
- The proposed entrance is opposite the location children wait for a school bus.

The above points have been addressed in the committee report and consultee comments.

- (e) **19/00715/AS – Land at Homewood School adjoining Fire Station, Ashford Road, Tenterden, Kent - Erection of apartment block containing 7 dwellings with associated parking and amenities.**

Two additional conditions:

Prior to the commencement of development above damp proof course level a scheme of mitigation to protect future residents from potential noise pollution from the artificial sports pitch shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

**Reason:** To safeguard the amenity of future occupants.

Prior to the commencement of development an Arboricultural Method Statement shall be submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

**Reason:** To ensure the method of construction safeguards the trees to the north of the development.

The adjoining Ward member Cllr Knowles is unable to attend but has circulated comments to the Planning Committee and these are set out below:

*“Dear fellow Councillors/ Members of the Planning Committee for The meeting tonight*

*I apologise I will not be able to attend this evenings meeting due to work commitments,*

*I am not normally a member of the planning Committee but represent a Ward Adjacent to this planning application (Tenterden South)*

*I would like to Highlight an aspect of Planning application--- 19/00715/AS - Land at Homewood School adjoining Fire Station, Ashford Road, Tenterden, Kent*

*Those that were at the last planning meeting will remember that this application was deferred due to several questions being asked about Land ownership and Traffic management policies of Homewood School*

*The School has submitted a written response to the questions set and set out its management plan*

*The developers agent has stated that the density of the development is 36 DPHA which is over the normally accepted level for rural, village and Countryside settings and is nearer to the higher 40+ DPHA that is acceptable for Urban areas,*

*This site is not in an urban area it is a considerable distance from the Town Centre of Tenterden and I believe it can be described as semi-rural at best, setting a dangerous precedent for raising what can be interpreted as the acceptable level on the fringe of Tenterden bearing in mind other planning applications that are coming through for major development that is not in the Local plan.*

*I know that the Officers have actively reminded us that we need Windfall sites but I do not feel that this should be at the expense of creating dangerous precedents*

*I therefore ask you if you would be minded to ask the applicant to re-design the site to bring it down below the 30DPHA level that I feel would be suitable for this site*

*I do not feel that this is an area that was not covered by the deferral as one of the main reasons that I raised when I was a substitute at the last planning meeting was about the density of the site due to Land ownership issues which needed to be clarified, these have been clarified now by the Developers agent and they have clarified the density as over 30 DPHA*

*I thank you very much for your time to read this Letter*

*And I ask Planning / Member Services to add this to urgent updates for the Committee papers this evening*

*Kind Regards*

*Cllr Callum Knowles*

One additional neighbour objection has been received which doesn't raise any new issues to those set out in the reports

**(f) 19/01351/AS – Land rear of 1, Ragstone Hollow, Aldington, Kent - Formation of new permanent car parking bay (retrospective)**

**None**

**Annex 1 - 19/00709/AS – objection**

**Annex 2 – 19/00709/AS – Q&A Planning submission**

# ANNEX 1.

## Why the East Stour Park Development (19/00709/AS) should be rejected

I have read through the development's documentation on the Ashford Borough Council website. I believe the development is fundamentally flawed.

**Below are the reasons why I oppose this development:**

1. **No additional infrastructure:** This places further pressure on existing doctor's surgeries, schools and roads in South Ashford. I understand Ashford has been earmarked as a 'growth town', but with an increase in dwellings must be coupled with an increase in public services. The current residents of South Ashford shouldn't have to wait weeks for a doctor's appointment, worry about primary school places, face congestion when driving to the supermarket. All these issues caused by new housing developments without proper infrastructure.
2. **Entirely 1 or 2 bedroom leasehold flats:** This is not the family housing that South Ashford needs. These apartments appear to be targeted at London commuters. However I struggle to find any market research that suggests they will sell around 120 1 bed apartments. I'm concerned many of these will remain unsold, or will be bought by property investors and rented.
3. **Parking:** There will only be 254 parking spaces for 212 flats, virtually 1 a flat. All the developments parking spaces are on the ground floor, as there's no flats on the ground floor due to the high flood risk. I believe its likely residents won't risk their cars being flooded, and will park in neighbouring areas instead. Residents on the neighbouring estate in roads such as Riversdale, Torrington and Whitfield already have major parking issues. I'm concerned this development will make these issues worse.
4. **Only 9% flats are affordable housing:** This does little to help hard working Ashford families get on the property ladder, who may end up renting these flats from property investors instead.
5. **Seven storey high blocks of flats:** – These imposing buildings will negatively impact on the residents at Riverside Close, reducing their natural light and quality of life. The developers 'daylight, sunlight and overshadowing' report accepts that the residents of the even numbers 24-66 Riversdale Road will be negatively affected. However because the light is still more than 0.8 of it's original value (impact that's less than 20%) it is compliant with planning regulations. The document admits these findings were made without attempting to access any of the properties affected. I am concerned about the accuracy of this document.
6. **Building on Floodplains:** The developers 'Flood Risk Assessment' document states the development is on 'Flood Zone 3' land that has a 'high probability' of flooding due to the River Stour. There are no flats on the ground floor to reduce flooding risk, however the ground floor parking and access roads to the site are still at risk of flooding
7. **Environmental Impact:** Page 5 of the developers 'Arboricultural impact assessment' states that three category B trees will be removed, 1 sycamore and 2 white willow. Page 28 of the developers 'Air Quality assessment' states that there will be a small reduction in air quality as a result of the development.
8. **Drainage Issues:** There are also concerns regarding drainage at the new site. Page 17 of the developers 'Drainage Strategy Report' shows a letter from South East water dated 29<sup>th</sup> January 2019, in this letter it states there is 'inadequate capacity within the foul sewerage network to accommodate a foul flow for the above development at manhole reference: TR01413601'.



9. **Contamination Risks:** The developers 'Land Contamination Assessment' reveals concerns about the sites geology, as it was previously used as a builder's yard and railways works. The conclusions on Page 15 state that due to the works an aquifer (body of rock) presents a medium risk of leaching pollutants onto the groundwater table. Additionally 'Future end users' (residents of the new flats) have a moderate to low risk of inhalation in confined spaces where the infilled ground and the marsh land has the potential to generate ground gas.

**There's been considerable criticism from professional stakeholders regarding the development.**

All the info below is from documentation on the applications webpage:

**Kent County Council Highways** – Stated parking was inadequate and likely to lead to vehicles being parked on 'Torrington road, Riversdale Road and Providence Street'. Stated the traffic would lead to 'severe' capacity issues at several junctions around Victoria Road, Beaver Road, Station Road and Beaver Road.

**Ashford Borough Council Economic Development Officer** – Stated there would be no commercial benefit to the area after the site was built. Stated the increased traffic could have negative consequences for Beaver Industrial estate and shopping units off Norman Road.

**Environmental Services** – States that the number of bins and size of indoor refuse storage were 'woefully under capacity'.

**Kent County Council Flood and Water Management** – A number of concerns as Groundwater levels are 'very close to the surface'.

**Environment Agency** – Stated plans should be rejected due to an 'absence of an acceptable flood risk assessment'. Concerns that it is 'Unclear' how people will be kept safe from the flood hazards.

Despite all this criticism over a range of issues all the developers wish to do is to re-propose the same development with a few 'tweaks':

1. Reduce the development by 22 flats from 234 to 212, and add 10 more parking spaces.
2. Make 20 flats affordable housing.
3. Increase refuse bins by just 20%, disputing the opinion of the Environmental services.
4. Increasing the infiltration basins, but still not addressing all flooding issues outlined by KCC Flood and Water Management and the Environment agency.

**Conclusion**

These minor tweaks have paid lip service to the issues, without adequately addressing them. This development is clearly fundamentally flawed. We cannot continue to pass developments that do just enough to 'tick all the boxes', to the detriment of the quality of life of Ashford's current residents. This has to stop. We need development that is in the interests of the citizens of Ashford, not in the interests of property developers profits.

# ANNEX 2.



## East Stour Park, Norman Road, Ashford (19/00709/AS) Response to correspondence from Mr Ransley

1. Q+A Planning Ltd produced a detailed Flood Risk Sequential and Exception Test in May 2019 on behalf of Quinn Estates Ltd which accompanied application 19/00709/AS, together with an Addendum dated December 2019. We write in reference to the letter of Mr Ransley that has recently been added to the application online case file, as well as circulated to Members of the Planning Committee in which it is claimed that that the criteria by which the Sequential Test has been applied is unduly restrictive.
2. The detailed Sequential and Exception Test Report, as well as the Addendum relating to site S6 (Newtown Works) following the submission of the application for the mixed use redevelopment of the Newtown Works site for residential, film studios, office space and a hotel and that this report, together with the FRA and subsequent Technical Notes forms the basis for the application of the Sequential Test and then Exception Test by the Borough Council, as set out in the Officers Report.
3. Since the correspondence has been circulated by Mr Ransley to Members, we consider that it is important to respond to ensure there is a fair assessment of the application against national policy set out in the NPPF and NPPG. Therefore, we set our response to the detailed points made by Mr Ransley in his letter, as numbered below
  1. ***'Given the quantum of development proposed it is not appropriate to restrict the search area to the town centre. No compelling evidence has been provided of either a specific localised need nor evidence that this development is necessary to sustain the host settlement. Demand for dwellings, particularly at this scale, is a strategic issue within the borough and therefore the appropriate area of search is the district as a whole (as indicate by the Council's SFRA – Strategic Flood Risk Assessment)'***
4. Section 4 of the Flood Risk Sequential and Exception Test provides a detailed explanation of the scope of the Sequential Test, which was agreed with Senior Officers during pre-application discussions. Such an approach is entirely in accordance with the NPPF and NPPG to scope the area of search for a Sequential Test, as set out in the NPPG:

*'For individual planning applications where there has been no sequential testing of the allocations in the development plan, or where the use of the site being proposed is not in accordance with the development plan, **the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed** . For some developments this may be clear, for example, the catchment area for a school. In other cases it may be identified from other Local Plan policies, such as the need for affordable housing within a town centre, or a specific area identified for regeneration. For example, where there are large areas in Flood Zones 2 and 3 (medium to high probability of flooding) and development is needed in those areas to sustain the existing community, sites outside them are unlikely to provide reasonable alternatives.'*

and

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*'Within the area you've agreed with your local planning authority, look for sites that could be suitable for your development.'*

*First, check your adopted or draft local plan for sites that have already been allocated for development and could be **suitable for the development you're proposing**.*

*Also look at sites that haven't been allocated in the local plan, but that have been granted planning permission for a development that's the **same or similar to the development you're proposing**.'*

5. On the basis of government advice set out in the NPPF and NPPG and the medium to high density and the type, form and flatted nature of the development proposed it was agreed by Ashford BC Officers that the scope of the sequential test should be limited to the town centre wards of Victoria, Beaver, Aylseford Green, South Willesborough, Norman and Stanhope where the Local Plan seeks to locate the higher density form of development – those wards identified in policy HOU1 of the local plan that are differentiated from other area by not requiring affordable housing for flatted development, so as to aid the regeneration of the town and these areas and support the role and functioning of the town centre.

6. It would be entirely inappropriate to apply the sequential test on a borough wide basis, as the Local Plan does not seek to deliver the type of development proposed in the application outside of the town centre area of Ashford, as set out within the vision for the Local Plan (P8)

*'The town of Ashford will continue to be the main focus for development with the regeneration of the town centre and areas where there are existing environmental and social issues and the creation of attractive and vibrant new communities on the periphery of the town. A regenerated Ashford Town Centre will expand significantly its leisure, cultural, educational and residential offer.'*

7. Whilst the vision makes clear more limited growth is proposed for Tenterden and the rural service centres of Charing, Wye and Hamstreet and other villages.

**2. 'The type of development here is dwellings and the applicant has provided no evidence of support for a specific need for flats.'**

8. The NPPF and NPPG make clear that the sequential test should relate to development of the same or similar nature. The Local Plan identifies that within the town centre area there is expected a growth in demand for flats, whilst the Housing Target of the plan recognises a need for the delivery of a minimum of 1,000 further 'windfall' homes on unallocated sites before 2030 beyond those sites already allocated within the local plan, or sites with planning permission.

9. It is therefore appropriate for the delivery of windfall development to be primarily focussed within Ashford, as the most sustainable urban settlement in the Borough with wide ranging services and infrastructure, rather than within rural service centres or smaller settlements that may struggle to cope with the demand on services and infrastructure from larger scale development.

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3. ***'There is no support in policy, or known examples of decisions, to support the idea that the viability area for the provision of affordable housing should in anyway limit the area of search.'***
  
10. The NPPG explicitly states that the sequential test can be defined by local plan policies, such as those relating to affordable housing or regeneration. This is endorsed in Paragraph 44 of the Inspector's report APP/N2535/W/17/3175670 attached by Mr Ransley (which is otherwise irrelevant to the application), which states that:  
  
*'The area to apply the sequential test across will be defined by local circumstances relating to the catchment area for the type of development proposed.'*
  
4. ***'The search unduly restricts the size range of potential sites. There is no reason why this number of dwellings could not be hosted within a much larger site. For example, it is known that parcels will be sold off by the promoter at Court Lodge.'***
  
5. ***'Sites are removed from the search largely because the indicative allocation is for less than the scheme proposed. The applicant's site would fail this test as it does not have an allocation and if it did the Borough Council would not presume to allocate 212 dwellings to a 2.67 hectare site with severe flood constraints without detailed plans. It is similarly unlikely to allocate a density of 79.4 dwellings per hectare to the other sites at the local plan stage, without detailed work. It is a self serving argument to artificially restricts the available set of alternatives.'***
  
11. It is appropriate and entirely in accordance with the NPPF and NPPG for the sequential test consideration of allocated sites to be based on the allocations within the Local Plan. Allocated sites within the Local Plan have been subject to detailed consideration and evidence base testing, including consideration of density, deliverability and viability. The assumptions over density and numbers have been subject to independent examination by the Planning Inspectorate on behalf of the Secretary of State.
  
12. For example, policy S7 (Klondyke works) seeks to allocate 90 residential units on a site of less than 1Ha therefore development of just under 90dph whilst site S6 (Newtown Works) seeks to deliver a minimum of 450 homes at a density of 60 dph on a site that contains significant Grade II listed heritage assets. The allocations in rural service centres and suburban locations are at a far lower density. It is therefore entirely reasonable to assume that the site allocations in the local plan are based on a sound understanding of appropriate density and numbers of development.
  
13. Further, it is reasonable to assume that if the East Stour Park site had been proposed and put forward as a site for consideration in the SHELAA and Local Plan as an allocation that Officers would have considered a density of 79.4dph acceptable, in accordance with the conclusion reached in the Officers Report regarding the development proposed and its high

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quality design and suitability, based on the information that would have been required to support an allocation.

14. The NPPF and NPPG seek to ensure that the sequential test allows for a pragmatic assessment of availability for the development proposed. Neither the NPPF nor NPPG suggest that the Sequential Test should allow for the disaggregation of allocated sites, such as Court Lodge which is a single allocation. The NPPG and NPPF make clear that the sequential test should be undertaken to identify sites that could accommodate the type and size of development proposed and therefore the suggestion that potential parcels within a larger single site allocation should be considered is incorrect.

***6. Even were the above satisfied the search failed to consider if there were other sites available within flood zone 3 which were of lower hazard / depth and were therefore sequentially preferable. (e.g. the discounting of site VC24 as it is also FZ3a)'***

15. Neither the NPPF or NPPG advise that the sequential test requires a consideration of sites within the same flood zone, in this case 3a as the entire purpose of the sequential test is to consider availability of land for the development proposed within areas of lower risk (FZ2 and FZ1)
16. In this instance the FRA and Technical Notes demonstrate that the existing site is defended to a 1:75 level, a higher level of protection than the nearby properties in Riversdale and Torrington Road (see attached photograph below showing bund) and because of this the site does not provide flood capacity storage, as does the majority of the surrounding land nearby which is undefended and located in Flood Zone 3b (functional flood plain)
17. The proposals seek to provide a higher degree of protection to over 1:100 including an allowance for Climate Change and has been demonstrated to be safe as required by the Environment Agency. Crucially it also provide betterment to nearby properties also located in flood zone 3a by increasing flood storage on site, due to the relocation of the bund.

***7. 'Were the Committee minded to accept the criteria proposed by the applicant then the site would still have failed to meet the sequential test. There are multiple sites, some of which are given below, remaining at lower risk of flooding which are available for the purposes of the sequential test.'***

- ***Tannery Lane***

18. This site has been considered in detail in the 'Flood Risk Sequential and Exception Test Report'.

- ***Beaver Road, an application has been submitted under reference 19/01597/AS for 214 apartments and 9 townhouses'***

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19. The NPPG makes clear that for the sequential test you must look for sites that could be suitable for your development and that the search should focus on sites that are allocated, are in the process of being allocated or have been granted planning permission for a development that is similar or the same to the development you are proposing.
20. As we have previously set out in our original Sequential Test and Addendum, the application of the sequential test needs to relate to what is being proposed at East Stour Park and, in particular, it needs to be the same or similar. The guidance is emphatic that it needs to relate to what 'you are' proposing (i.e. the applicant). Therefore, in this case, the proposals for East Stour Park are for 212 medium density new build residential units in separate blocks, within a landscape setting. This is logically the starting point for any sequential search and, the nature of the development is fundamental to its characteristics. With regards to the Homeplus site specifically, we note the following:
- The Homeplus site was not identified as part of the scoping exercise in September 2018 as its development potential was not in the public domain; it is not an allocated sites and does not have planning permission and was not identified by the Council as a windfall opportunity.
  - At the time of the original Sequential Test in May 2019, information about the site's development potential was still not in the public domain (to our knowledge, public announcements were only made in May 2019 and after the application documentation was finalised).
  - Whilst we note that the site has previously been mentioned by third parties commenting on the East Stour Park application, an application for the Homeplus site was only submitted in November 2019 and remains un-determined.
  - The developers of the Homeplus site have not put forward representations to the East Stour Park application suggesting that it is a sequential alternative.
  - Therefore, at the time of writing, there is no certainty that the proposals coming forward on the Homeplus site will be granted permission or come forward in the manner envisaged, whilst the site is not allocated and does not have planning permission.
21. However, in terms of the proposals themselves, we consider that they would not be a reasonable available alternative on the basis that they are not 'similar' to the development as proposed at East Stour Park, as explained below:
- The Homeplus site is 0.97 hectares, compared with 2.67 hectares at East Stour Park – meaning the densities proposed are also significantly higher, 248 dph at the Homeplus site compared to 79dph at East Stour Park and the development will not provide the extensive retained landscaping as promoted at East Stour Park. The design and form of the development is entirely different, the two schemes are not comparable in this

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regard. To emphasise this, if the densities of East Stour Park were proposed at the Homeplus site the proposal would deliver in the region of 76 properties.

- The total dwelling numbers are higher than proposed (223 at Homeplus compared with 212 at East Stour Park) and the mix is different. East Stour Park is solely 1 and 2 bedroom flats with 10% affordable, whilst Homeplus has nine town houses, together with 24 three bed units and is 100% market housing. It is also delivered as part of a single building, rather than a development of 6 pavilions, forming a landmark tall building rather than a medium density flatted development within a wider landscape.
- The Homeplus site is a truly mixed use proposal, with 1,312 sqm of commercial floorspace on the ground floor and a roof top restaurant where as the proposals for ESP are residential only. The proposals are therefore not directly comparable in terms of uses, density and form.

22. Overall, it is a fundamentally different sort of scheme that it not yet allocated, nor does it have planning permission. It forms a high density tower development on a sub 1Ha plot compared to a medium density, landscape led flatted development within a parkland setting of 2.67Ha and therefore is not a reasonable available alternative site to the East Stour Park proposals.

- ***Gasworks Lane, the site is indicated to have a capacity of 150 dwellings at 3-4 storeys and is a Local Plan allocation. If the applicant pursued an application here, and was similarly ambitious with the height, there is no reason that this brownfield site cannot accommodate a similar scale of development.***

23. This site has been considered in detail in the 'East Stour Park, Norman Road Flood Risk Sequential and Exception Test' report

- ***New Town Works, this site is available and could deliver the dwellings. It is not the role of the planning authority to facilitate a specific business model, in this case new build flats rather than conversion. The objective of the planning authority is to deliver the strategic need for dwellings required and the screening out of this site based on business model was unduly restrictive.***

24. This site has been considered in detail in the 'East Stour Park, Norman Road Flood Risk Sequential and Exception Test' report and subsequent Addendum following the submission of a planning application for a mixed use development to include the retention and conversion of Listed buildings on the site, a film studio and associated office complex and hotel and serviced apartments.

- ***Mace Lane, the Inspectors of the Local Plan were told of pre application discussions on residential development for the former printworks at Mace Lane***

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*Industrial Estate by Mr Cole. That site is adjacent to the park, less than half the distance from the town centre and is entirely FZ1.'*

25. This site does not have planning permission, it is not allocated and was not suggested as a windfall site. As such it does not form part of the sequential test.

**Conclusion**

26. Given the above assessment it is considered the application has been subject to an appropriate, pragmatic application of the Sequential Test in accordance with the requirements of the NPPF and NPPG and as set out in the Officers Report.
27. In respect of the comments raised by Mr Ransley under the title 'Other Flood Risk' – these matters relate to the Officers Report and should therefore be addressed by Officers, if it is appropriate to do so.

**February 2020**