

Application Number	21/02216/AS	
Location	The Old Flour Mills, East Hill, Ashford, Kent	
Grid Reference	01536/42785	
Parish Council	-	
Ward	Victoria Ward	
Application Description	Redevelopment comprising the conversion of the existing Flour Mill, demolition of existing structures, and the erection of four ancillary blocks to provide a total of no. 53 apartments (Use Class C3), ancillary residential facilities (including residents' gym and 'super lounge'), 1 x office (Use Class E(g)(i)), retained access from East Hill, parking, and associated landscaping and infrastructure.	
Applicant	Oliver Davis Homes, C/O Agent	
Agent	Mr A Hume, Hume Planning Consultancy Ltd, Innovation House, Discovery Park, Innovation Way, Sandwich, CT13 9ND	
Site Area	0.56 hectares	
(a) 80/7R	(b) -	(c) EA- X, NE- X, ABC OSS- X, KCC ED- X, KFR- X, Police- X, CACF – X, KHS- X, KCC Arch- X, EHM- X, CCG- X, ABC Housing – X, SGN- X, KCC Suds- X, ABC Refuse- X

Introduction

1. This application is reported to the Planning Committee because it is classed as a major application and under the Councils scheme of delegation it falls to be determined by the Planning Committee; moreover, part of the site is in the Council's ownership.

Site and Surroundings

2. The site which is approximately 0.56ha in size is located in a prominent town centre location at the junction of East Hill to the west and Mace Lane to the

north. The site which is irregularly shaped is unique in that it sits at the confluence of the Great Stour and East Stour rivers. Vehicular Access is from East Hill with pedestrian and cycle access from a number of points around the site.

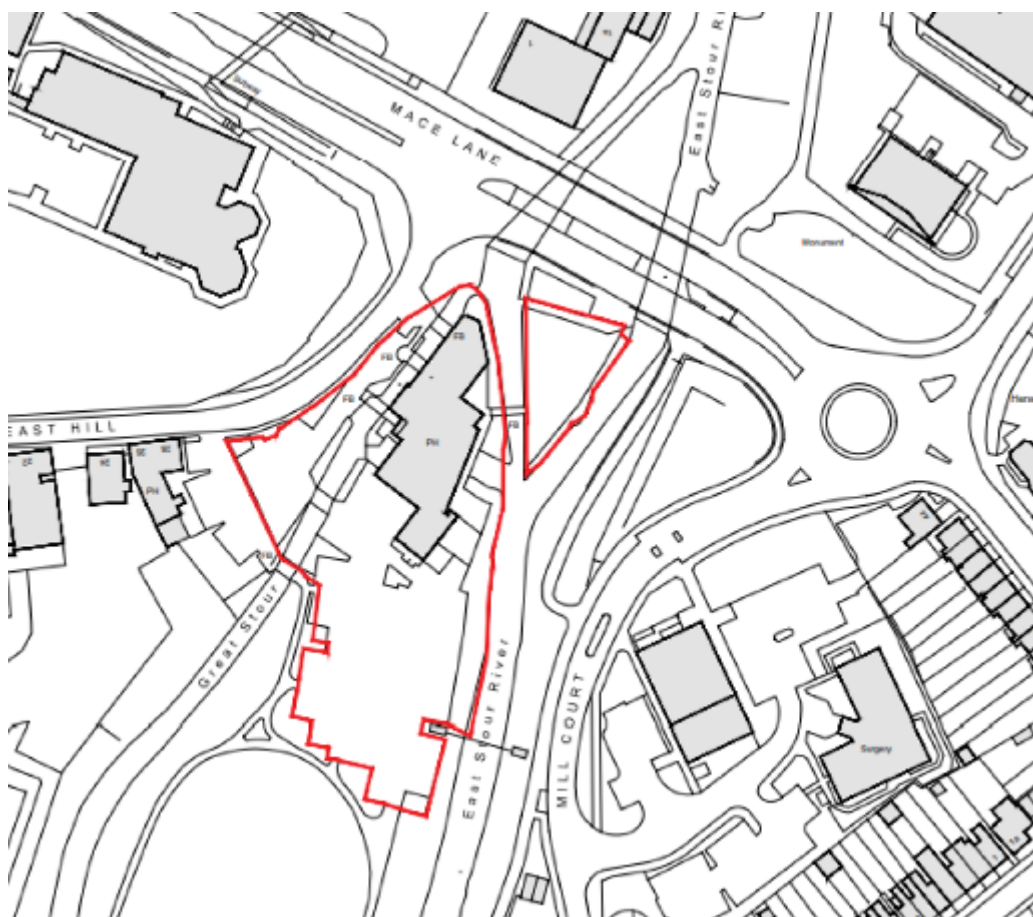


Figure 1: Site Location Plan

3. To the South East of the site beyond the eastern bank of the East Stour River lies the Mill Court Residential development which also contains a small local centre that includes the Sydenham House Medical Centre, Payden's Chemist and a Tesco Metro store.
4. The site comprises of three distinct parts which can be described as follows:

Part A - the disused Pledges Flour Mill. The Mill which is not a listed building fronts onto East Hill and was first constructed in 1901 by H.S Pledge and Sons Ltd as a Flour Mill. The Flour Mill was closed in 1972 and later in 1974, the building was significantly fire damaged. The building was repaired and extended and became a nightclub, most recently the Liquid & Envy Nightclub which closed in 2014. The Mill has remained empty since 2014 and has fallen into disrepair and subject to vandalism.

Part B – The Flour Mills (East Hill) Car Park. A 79 space pay and display surface car park. Part of the car park is owned by Ashford Borough Council although it is understood that the applicant is seeking to purchase the land.

Part C – The Island. The island is a result of the site being divided by the East Stour River identified on the site location plan (Figure 1 above) as a triangular shaped piece of land. The island which is a relatively small part of the site is accessed via a pedestrian bridge from the Mill (although not currently publically accessible) and is currently undeveloped and overgrown with vegetation.

5. Part of the site, largely, Part A - the existing building, is located within the Ashford Town Centre Conservation Area as identified in Figure 2 below.

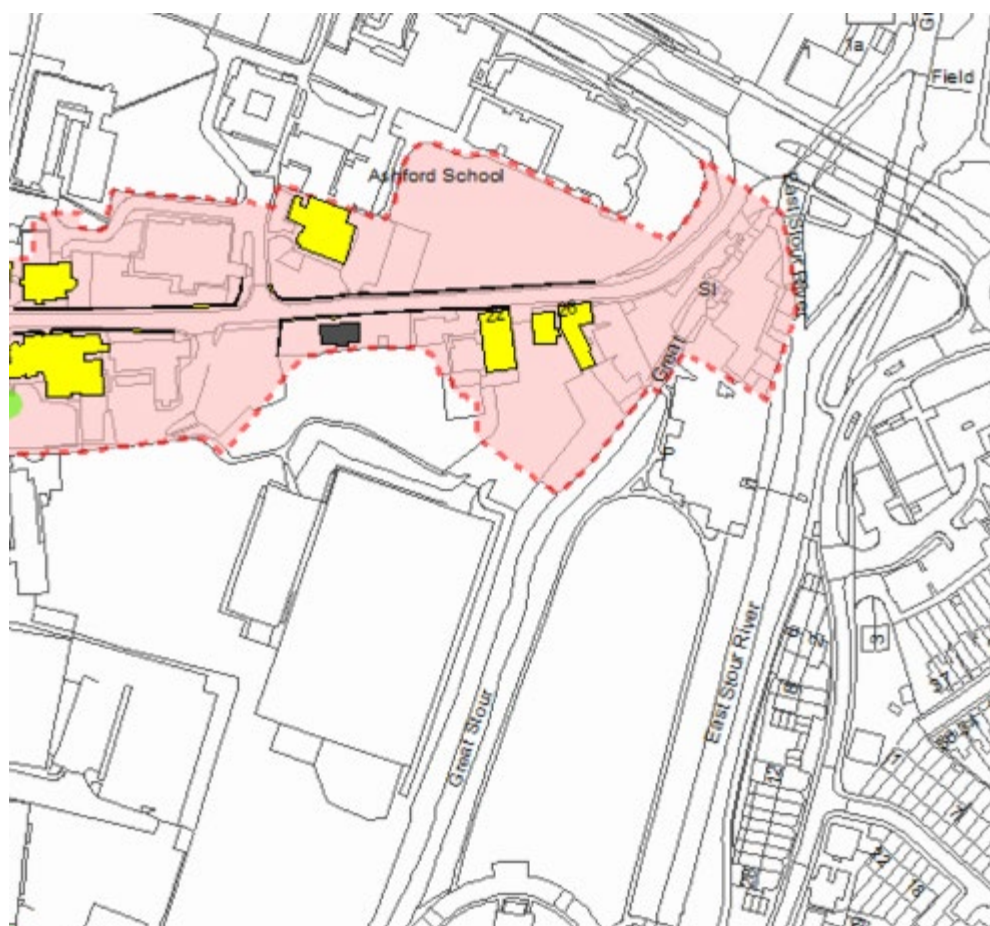


Figure 2: Extent of the Ashford Town Centre Conservation Area

6. Whilst the mill itself is of historic interest having been built in 1901, it is not a listed building. Figure 2 above identifies (in yellow) the nearest listed buildings to the site, the closest of which is the Star Inn (a public house) to the west of the application site. Along the steep slope of East Hill are also a number of Georgian Villas close to the road and high brick walls that are also listed and now form part of the extensive Ashford School premises.

7. The site is classed as a Town Centre location as defined by the Ashford Local Plan 2030 policies map and is within easy reach of central services and facilities.
8. The site is located fully within Floodzone 2 (1:100 - medium probability of flooding). The site also almost in its entirety falls within Floodzone 3 of the East Stour River. Flood Zone 3 is split into 2 separate zones; 3(a) and 3(b) ((a) being defended floodplain and (b) being undefended floodplain). Areas within Flood Zone 3 are defined in Table 1 of the NPPF Planning Practice Guidance (PPG) 'Flood Risk and Coastal Change' as:

Flood Zone 3 'High Probability' (greater than 1 in 100 (1%) annual probability of river flooding, or greater than 1 in 200 (0.5%) annual probability of sea flooding).

9. Flood Zone 3 development proposals require the submission of a flood risk assessment as part of the planning application which determines if the site is classified as flood zone 3(a) or 3(b) as well as reviewing flood risk on the site and proposing suitable mitigation.
10. The types of development that can occur within flood zone 3 is not only controlled by the vulnerability of these usages but also if the site is located within flood zone 3(a) or 3(b).
11. Figure 3 below shows the extent of Floodzone 3(a) and 3 (b).

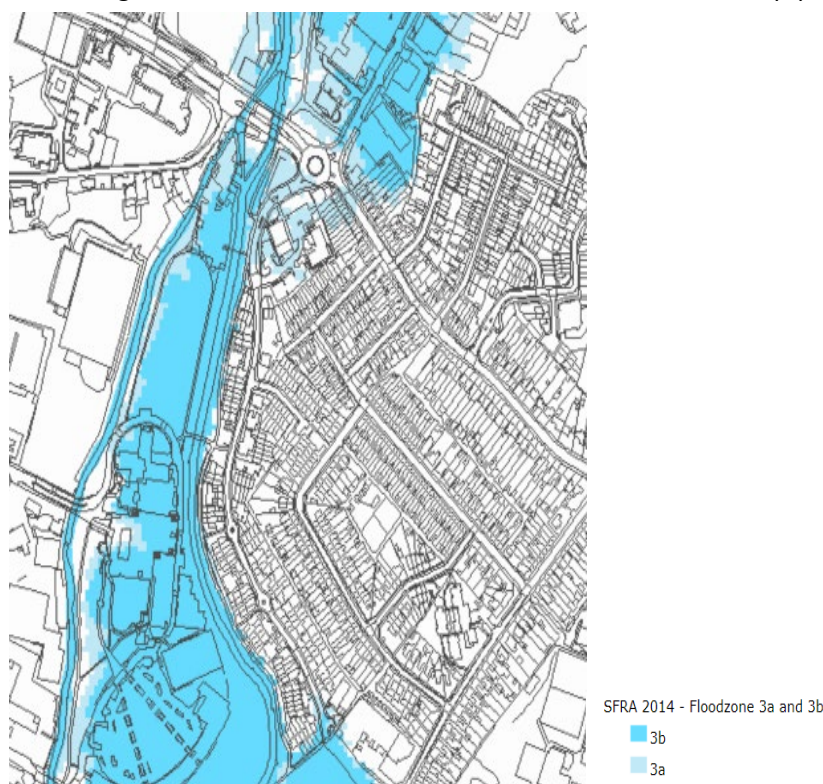


Figure 3: Extent of Floodzone 3 (a) and 3 (b)

12. The site is located within the Ashford Green Corridor as shown in Figure 4 below. This is a network of largely green open areas made up of recreation space and other green and blue spaces alongside the Great and East Stour rivers. The riverside areas have remained largely undeveloped, due to being within the flood plain and are considered to provide a unique opportunity for improving the quality of the urban environment and for establishing green links between the town and surrounding countryside.
13. The Ashford Green Corridor Action Plan (2017) which is a background document supporting the Ashford Local Plan identifies the site as being located within the area A1 of the Green Corridor. This particular part of the Green Corridor is at the centre of the whole network and is an important movement network where footpaths and cycle paths link.

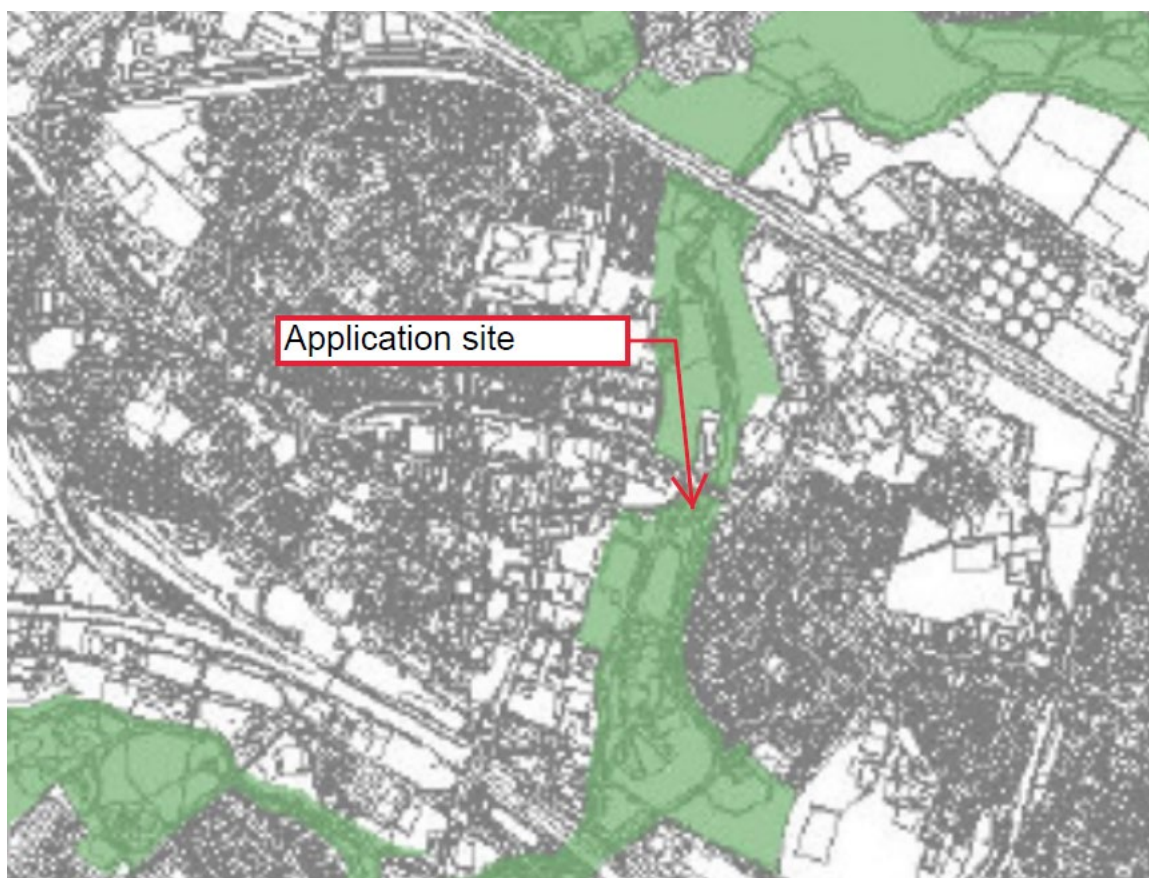


Figure 4: Extent of the Green Corridor

14. Part of the site is designated as a Nature Reserve and designated Local Wildlife site (Great Stour Ashford to Fordwich LWS). The extent of these designated areas is limited to the river itself and its banks and excludes the mill building and hardstanding within the site.

Proposal

15. Full planning permission is sought for the redevelopment of this site comprising the following:
- Conversion of the existing Pledges Flour Mill to residential use,
 - Demolition of existing structures, and the erection of four additional blocks to provide a total of no. 53 apartments (Use Class C3),
 - Ancillary residential facilities - including residents' gym and 'super lounge',
 - 1 x office (Use Class E(g)(i)),
 - Retained access from East Hill,
 - Parking,
 - Associated landscaping and infrastructure.
16. The proposed site layout is detailed below in Figures 5 and 6.

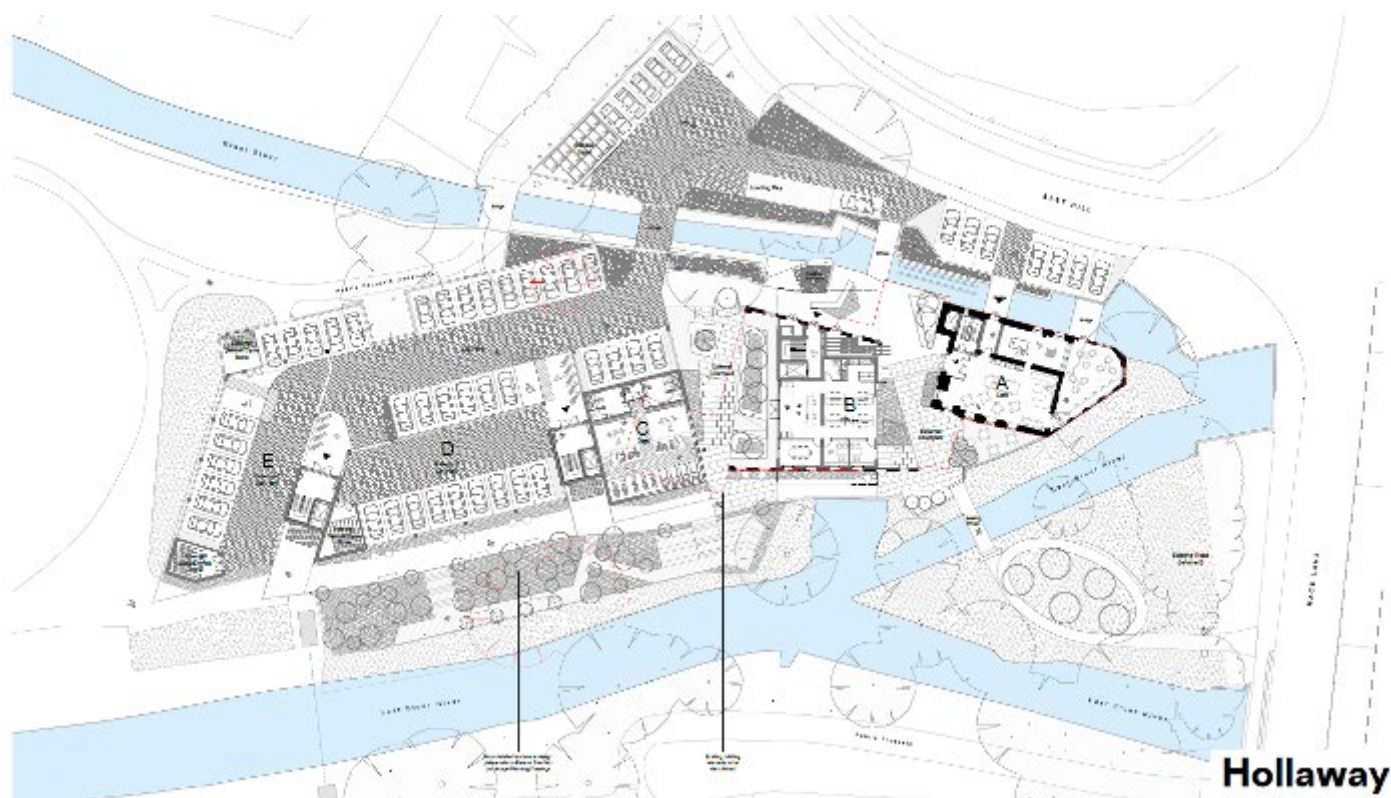


Figure 5: Proposed site layout

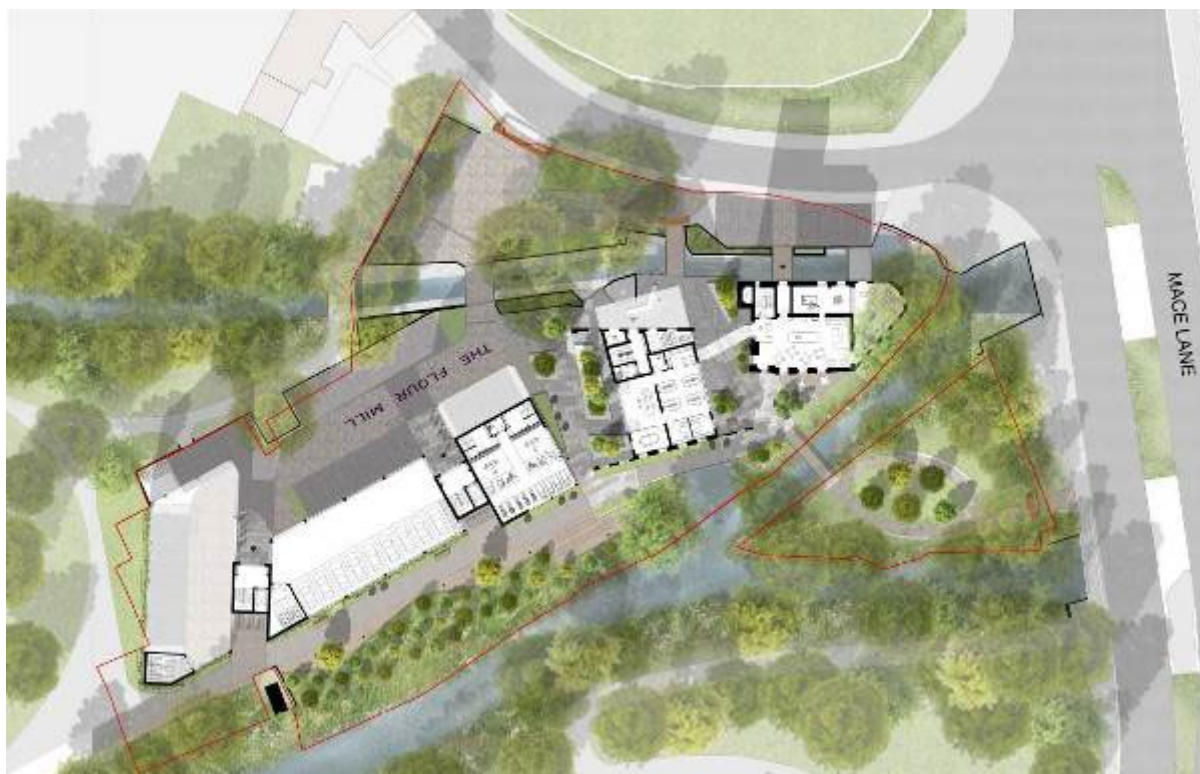


Figure 6: Illustrative Masterplan

17. The schedule of residential accommodation is proposed to provide the following mix:
 - 17 x 1 Bedroom apartments
 - 15 x 2 bedroom apartments
 - 4 x 1 bedroom duplex apartments
 - 14 x 2 bedroom duplex apartments
 - 3 x studio apartments

18. Figure 7 below, provides some of the CGI images of the proposal produced by the applicant.



Figure 7: CGI images of the proposed development

19. All residential apartments would be located above ground floor level with ground floor uses comprising the residents 'super lounge' and gym and office space which would be utilised by the applicant Oliver Davis Homes (who would also retain management responsibility for the apartments).
20. Block A would incorporate the existing original mill building which is proposed to be retained and converted. Some of the later additions are proposed to be demolished and a small lightweight extension is proposed to the single storey element fronting Mace Lane which would be finished with a green roof. The mill is 5 storeys in height plus an attic level, with a 7-storey tower (built 1901), a two-storey warehouse with a metal barrel-vaulted roof (a 1981 replacement, renewed 2003, as the original roof was destroyed during the 1974 fire) and a 1981 extension which is 4 storeys. Externally, the principal building materials are red brick.
21. Most of the proposed demolition would be focussed on post 1974 additions including the unsympathetic 4 storey extension. Much of the former warehouse is also proposed to be demolished although its east and west walls, would be retained and incorporated into the design of block B.
22. Blocks B-E are proposed to reduce in height from north to south across the site with Block B proposed as 5.5 storeys and Blocks C, D and E proposed as 4.5 storeys to ensure that the Flour Mill would remain the tallest and most prominent building within the development.
23. Vehicular access into the site is currently from East Hill via an access road, which is located approximately 68m to the south of East Hill's priority junction with A292 Mace Lane. The existing access arrangement in the form of an all-movements simple priority junction with East Hill is proposed to remain.
24. It is proposed that the pedestrian access would be located approximately 10m to the north of the vehicular access road via a separate pedestrian only access point directly from East Hill.
25. Figure 8 below details both vehicular and pedestrian movement routes through the site, with orange depicting pedestrian routes and purple showing vehicular access.

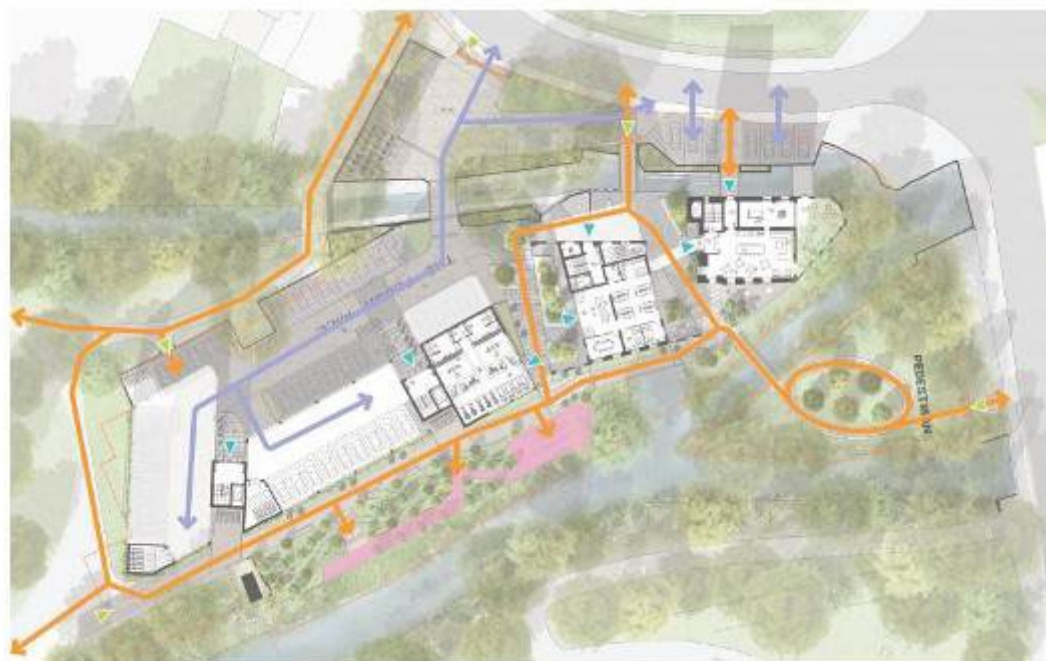


Figure 8: Movement plan

26. A total of 54 car parking spaces are proposed of which two would be disabled bays. 3 spaces would be allocated for visitors with 7 spaces retained adjacent to the East Hill frontage of the site to be used by the staff of Ashford School. 4 parking spaces would be allocated to the office use resulting in 43 parking bays to be provided to serve residents of the site. The applicant also proposes a car share scheme. A dedicated servicing and delivery bay is proposed at the front of the site along with a refuse store.
27. 90 cycle spaces would be provided within secure stores at ground floor level.
28. In relation to the public realm and the approach to landscaping, the applicant proposes 5 different character areas, influenced by the landscape, building character and associated uses and activities. Figure 9 below shows the locations of the different character areas and their relationship to one another.



Figure 9: Proposed landscape character areas

29. The different character that would define each area are proposed as follows:

Riverside Square

The riverside square character area (Figure 10) would form one of the main public spaces within the development and would be located between the old and new in terms of the surrounding architecture. The applicant's vision is to provide a calm sensitive landscape treatment focused on elevating the architectural features which would surround this space. It would also be a primary pedestrian gateway with large format granite paving laid to the axial arrangement of the architecture in different tones chosen to compliment the industrial heritage of the site. Formal raised planters are proposed with a selection of multi stem tree planting. Atmospheric lighting is proposed to compliment evening use and strengthen the feeling of safety.

A small terraced area would overlook the river to the eastern corner of the site providing a flexible outside amenity space that would spill out and interact with the internal social spaces provided at ground floor.

A feature tree pit is proposed and additional tree planting intended to give the feeling of trees emerging from the deck below. Bespoke pebble seating is proposed and the area could also accommodate tables and chairs when required. In terms of materials

the applicant proposes to use composite timber decking to tie in with and compliment the riverside walk area.



Figure 10: Riverside square character area

The Garden Courtyard

The garden courtyard character area (Figure 11) is proposed to be a public space and the green centre of the development. It would be a place for residents and workers to relax with seating (including bespoke pebble seats), planters and trees providing shade. Granite paving broken up by directional stone slabs, surrounding etched concrete planters are intended to offset the existing warm brickwork and compliment the greenery of the planting. The courtyard is proposed to be flood resilient.



Figure 11: The garden courtyard character area

The River Walk

The river walk character area (Figure 12) seeks to become an extension of Civic Park and aims to improve accessibility for cycling and walking along the East Stour River from east to west. A new footpath and timber decked area is proposed with viewing access of the river from a terrace feature. Informative signage is proposed.

Aquatic vegetation is proposed along the river edge with species selection designed to encourage habitat diversity. Existing planting is also proposed to be retained and enhanced.

The water's edge is proposed to be regraded to mitigate potential erosion and improve flood storage capacity at the site.



Figure 12: The river walk character area

The Island

The Island character area (Figure 13) by its very nature is proposed to be the ecological hub of the development. Whilst a pedestrian route is proposed the overall approach seeks to maximise ecological benefit within the Green Corridor with less formal planting. A timber walkway is proposed to act as a transitional space between the public realm and the site.



Figure 13: The island character area

Entryway and Carpark

The entryway and carpark character area (Figure 14) provides the northern public space and would have the Great Stour River running east to west centrally through it. The applicant proposes a shared surface to entrance lobbies from car parking

areas utilising permeable paving. Parking bays would be demarcated through the use of a different colour paviour.

A series of entrance features are proposed along the East Hill approach, aimed at providing a new visual gateway into the development from that direction.

The entrance to the lobbies are proposed to be paved with the large granite slabs to resemble the riverside square and garden courtyard character areas.



Figure 14: Entryway and carpark character area

30. In terms of sustainability the applicant proposes the following measures to be incorporated into the development:
- Passive solar shading.
 - Water package heat pump (for heating and hot water).
 - High thermal performance of roof, walls and glazing.
 - PV arrays to the east, south and west orientated pitched roofs.
 - PIR controlled LED lighting to car park and other external areas.
 - Dual aspect apartments.
 - Provision of electric vehicle charging points (50% active and 50% passive).
 - The provision of permeable surfaces and flood compensation measures.
 - Ecological enhancements.
31. A more detailed summary of the sustainability strategy is attached as Annex 1 to this report.
32. In terms of design the proposals seek to restore the now derelict mill building (Block A) and remove some of the less sympathetic later additions added after the fire in the 1970's. A contemporary approach has been adopted for the additional blocks (Blocks B-E) which has been informed by the visual cues related to the surrounding area and specifically that of the mill building.
33. Additional massing would be located within the area that is currently a surfaced car park and would gradually reduce in height with the mill remaining the tallest and most prominent building. Block B which would be closest to the mill seeks to reference the earlier development of the site which was physically connected to the mill.
34. The design approach to façade treatments and materiality is intended to reflect and complement the existing by retaining the existing mill building as well as two walls in block B of the existing building. Materials such as red stock brick, dark metal cladding, recessed brick details and soldier course banding are proposed to be used to emphasise the industrial heritage of the site. Most of the apartments would benefit from private balconies and some of the units would benefit from a dual aspect.

35. The key design approaches for each block are detailed below:

Block A:

The mill building would be restored with later additions removed. Replacement roof materials are proposed to match the existing and fenestration is also proposed to be replaced visually on a like for like basis. A new contemporary lightweight extension is proposed with a sedum/wildflower roof above.

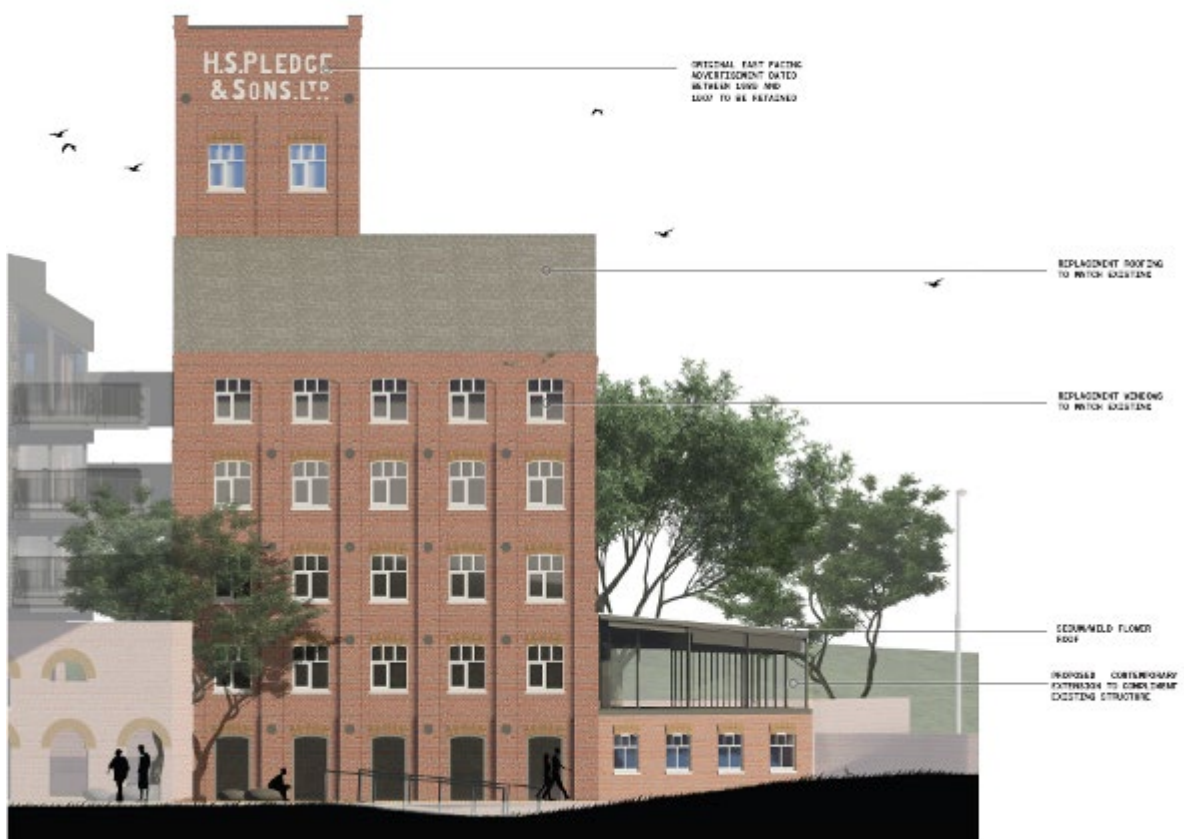


Figure 15: Block A proposed facade treatment

Block B:

The façade treatment of Block B seeks to explain the transition between the existing historical mill and the new development. The applicant proposes a contrasting dark metal cladding above the existing red multi-stock brick of the retained walls. Projecting balconies and cantilevers are proposed to create a visual interest and depth to the façade. Perforated metal panels are also proposed. The linked walkways to Block A is a design feature that references the former links between the flour mill and Provender mill (destroyed in the 1974 fire), a nod to the site's history.



Figure 16: Block B proposed facade treatment

Block C:

Block C is proposed to have a brick façade intended to represent a contemporary reinterpretation of the materiality of the mill building. Recessed brick detailing is proposed next to windows to add visual interest. Metal dormer detailing and metal panels are proposed to provide consistency with the rest of the scheme. Projecting balconies are also proposed.



Figure 17: Block C proposed facade treatment

Block D:

Block D is proposed to feature a brickwork framing element that would be offset by metal clad panelling and grey guarding to steel balconies. A hit and miss brick pattern is proposed as a feature at ground floor level so that light would be able to permeate the undercroft parking. Perforated metal cladding would also be utilised at ground floor. These features would additionally act as flood mitigation measures.



Figure 18: Block D proposed facade treatment

Block E:

Block E would be the southernmost block closest to Civic Park. The design approach would see the block clad with metal panels with red brick behind. Recessed balconies, perforated metal panels, and cantilevers are proposed to create visual interest and depth to the facade.



Figure 19: Block E proposed facade treatment

36. A lighting plan has been submitted setting out a lighting strategy that aims to efficiently and safely light routes and the public realm as well as minimising light pollution. Lamp columns are proposed mainly along vehicular routes. Low bollard lighting that would dim at night when no movement is detected and directional light columns are proposed along the sensitive river edge. Up-lighting to compliment the planting and under seat strip lighting is also proposed as shown in Figure 20 below.



Figure 20: Lighting strategy

Design Review

37. The proposal was subject to pre application advice and both the layout and design has been refined in response to this. The scheme (originally proposing 70 apartments) was also subject to two Design Reviews in April and September 2021 by Design South East. The reports of these reviews is appended as Annex 2 of this report.
38. The September panel concluded that the design response had been much improved from the original proposals and felt that the design team had responded well to the panel's previous comments. The report stated that high-quality historical analysis has informed the design approach in a positive way

whilst noting that developing a clear landscape masterplan and better defining the approach to the site's open spaces was the next key step for the proposal, along with exploration of the options for the building materials. The panel concluded that if these steps are informed by a similarly robust level of analysis, there is the potential for the scheme to be an exceptional response to an exceptional site.

39. The design panel's key recommendations were as follows:
1. Make sure the riverside walk is usable for pedestrians, cyclists as well as being a space to linger in.
 2. Improve the approach to the site from the car park in the west, giving it an attractive feeling of arrival.
 3. Make the frontages as active as possible, particularly along the key pedestrian and cycle routes through the site.
 4. Define the courtyard spaces, ensuring they work for their intended functions.
 5. Ensure the material choices fit in with both the retained and new buildings.
40. The application has been amended since it was originally submitted to take account of consultation responses. As a result the scheme has been amended to improve flood mitigation and landscaping and to expand opportunities for biodiversity.
41. A number of documents and reports have been submitted in support of the application which have been summarised below:

Design and Access Statement

DA.1 The site is located in a sustainable location within the town centre.

DA.2 The existing mill, which has previously had diverse occupation from its original usage as a mill to more recent usage as a nightclub, owes itself to the sympathetic conversion into commercial and residential accommodation.

DA.3 The site falls within the Ashford Town Centre Conservation Area. Two Grade II listed buildings fall within the vicinity of the site – the 'Star Inn' and 'Northside' – with the Grade II* listed 'Bridge House' to the south west of the site.

DA.4 The site is located within the Ashford Green Corridor and is in part a designated wildlife site.

DA5. The site's north-eastern extent is currently designated as open space, although it is overgrown and is not publicly accessible. This part of the site does not perform any recreational function. In the context of the site's central location and the level of recognised housing need, the opportunity to maximise efficient use of the land warrants a critical review of the site and its current designations.

DA.6 The site is, in near totality, included within designated Flood Zone 3. Part of the site fronting East Hill is included within Environment Agency Flood Zone 2.

DA.7 History of the site:

1086 A succession of mills have been on this same site since at least as far back as the Domesday Book in 1086.

1768 When first known map depiction of Mill

1804 When Mill was sold at auction

1890 Pledge took ownership of the Mill

1901 Pledge built a flour mill and warehouse on site behind old mill buildings

1972 Closes as a working mill

1974 Catastrophic fire devastates part of the building

1980's Transformed into Ashford's first nightclub

1990 The club closes.

1990 Kingfisher Leisure take on the premises and reopen a pub and club

2001 After a decade of use the club closes

2002 Luminar Leisure purchase the club and launches Liquid nightclub in 2002

2007 The club was renovated and re-branded as Liquid and Envy

2014 Ashford School bought the freehold to the building but Liquid and Envy continued to operate from the site

2014 Liquid and Envy cease trading in September

DA.8 The scheme was put before the Design Review Panel in May 2021 and September 2021. The panel summarised that: "The response is much improved and there has been a positive response to the panel's previous comments. High-quality historical analysis has informed the approach in a positive way. Developing a clear landscape masterplan and better defining the approach to the site's open spaces is the next key step for this proposal, along with exploration of the options for the building materials."

DA.9 Public consultation was undertaken in the following forms:

- Carrying out a letter drop to neighbours
- Setting up a web-page (available from 29th October 2021 - 10th November 2021) providing documents such as a public consultation planning summary and the DRP presentation document.

DA.10 Transport and access – Key access principles are as follows:

Enhanced pedestrian access to the site and links to the town centre • New footpath and cycle path running adjacent to River Stour • Proposed courtyards provide east/west pedestrian connections across the site • Reinstated & re-landscaped “island site” open to the public.

DA.11 Key Design Principles are as follows:

• Apartment blocks reduce in height from north to south. • Setting duplex units into the roof reduces height and massing of blocks • Flour Mill tower remains the tallest structure on site expressing a clear hierarchy of old and new • Courtyards separate the perceived mass and create pedestrian routes at ground level from East Hill to East Stour.

DA.12 Room types comply with Ashford Borough Council’s ‘Residential Space and Layout SPD’.

DA.13 Sustainability strategy includes:

- High thermal performance
- Passive solar shading
- Water package heat pump – generates 55 degree C heating and hot water
- PV arrays to east, south and west orientations
- PIR controlled LED lighting to car parking areas and external area elevations
- Communal ‘Superlounge’ – work and rest area for all residents
- Resident’s gym
- Restoration of the Flour Mill
- Town centre location
- Opening up the river for the benefit of people, urban wildlife and ecology
- Permeable surfaces
- Tiered riverbank seating
- Ecological enhancements
- Private balconies
- Vertical greening
- Cycleway and footpath
- Public Realm
- EV charging points
- Undercroft parking
- Secure cycle storage
- Flood compensation
- Car share scheme

DA.14 Materiality key design principles - The proposed external materiality reflects and compliments the existing Flour Mill building. This is achieved by retaining the existing mill building as well as 2 walls in block B of the existing building. Materials such as red stock brick, dark metal cladding, recessed brick details and soldier course banding are used to emphasise the industrial heritage of the site.

Planning Statement

PS.1 The location of the site and the proposed residential led redevelopment would satisfy the main spatial objectives of both local and national planning policy which seek to focus new residential development to areas that enjoy a good degree of connectivity to local shops, services, and amenities, including public transport connections.

PS.2 The existing Flour Mill building (which has been vacant for some time) would be the centrepiece of the proposed development. The site's location in a prominent location at a key approach to the centre of Ashford which is underutilised provides the opportunity through the quality of the architecture to create a built form that will have a positive visual effect on the character of the area, with new development complementary to the main Flour Mill building.

PS.3 Located within a context of an existing Town Centre site with cycle and pedestrian connections to nearby facilities and international rail, it is accepted that the site enjoys a sustainable location. The spatial pattern of development is such that the proposed conversion of the existing mill building - alongside the erection of four additional ancillary residential blocks - constitutes an appropriate type and scale of development in this location, which makes efficient use of an existing brownfield resource to assist in the delivery of much needed residential development in the Borough. It would furthermore deliver a quality landscaped provision of open space, including the opening up of the site for public uses - including a revitalised open space on the 'island' site. The proposed development represents a sustainable form of development in full accordance with the development plan and relevant national planning policies.

PS.4 The wider sustainability benefits to the community which would result from the proposed development are numerous and include:

- the provision of new housing that would be delivered, here comprising of 53 residential dwellings in a managed flatted scheme within a highly sustainable location within Ashford Town Centre, atop the settlement hierarchy for the Borough;
- the development of a highly sustainable site with very good access to facilities and services, given the site's location within the designated Town Centre for Ashford;
- the high quality redevelopment of an existing non-designated heritage asset within a designated conservation area;
- the creation of new open space for public use within a designated Green Corridor, improving and enhancing a currently inaccessible and

overgrown area of this corridor;

- contributions to the protection and enhancement of the natural environment through:
 - enhancement of the existing green infrastructure and linkages on site, provide valuable wildlife habitats and corridors;
 - through detailed flood risk and drainage assessment and mitigation, offer opportunities to improve natural drainage system
- a range of economic benefits through local construction jobs that would be created during the construction phase of the development;
- job creation through the provision of an on-site office to be occupied by Oliver Davis Homes as its headquarters;
- that future residents would contribute to the economic prosperity of the area through additional expenditure in local shops and services; and
- any contributions to be secured by legal agreement for wider community infrastructure

PS.5 Overall there would be no 'significant and demonstrable' adverse impacts which would outweigh the benefits of the development. The proposal is shown to accord with the requirements of both the Sequential and Exceptions Test, and to accord with the objectives of relevant planning policies of the Development Plan for the Borough.

PS.6 The proposal represents a deliverable, sustainable and suitable development in accordance with Paragraph 11 of the NPPF, and in this regard planning permission should be granted.

Transport Statement

TS.1 From a study of the existing transport conditions, it is considered that the site benefits from convenient access to regular bus and rail services, which provide access to local employment centres, as well as sustainable commuting trips into other locations in Kent, in addition to central London via Ashford International Railway Station. Local bus stops and Ashford International Railway Station are accessible by walking and cycling modes, thus providing potential future users of the proposed residential units with sustainable alternatives to private car use. The development is also situated

close to Ashford town centre and a range of everyday facilities within walking and cycling distance.

TS.2 The proposed development would make appropriate provision for a total of 90 cycle parking spaces, which would be in excess of ABC's adopted parking standards, with residential cycle parking located in a secure store within the development. Cycle parking for the office use would be located adjacent to the office frontage.

TS.3 The proposals would provide a total of 54 car parking spaces, 43 of these car parking spaces would be available for the proposed residential use.

TS.4 Vehicular access would continue to take place from East Hill. A traffic calming measure has been proposed adjacent to the site to slow down oncoming vehicles approaching the site from East Hill. (Note: following consultation with KHS and a stage 1 safety audit being completed the traffic calming measures have been deleted from the scheme).

TS.5 The TS provides an analysis of multi-modal trips expected to be generated by the proposed development. It has been estimated that the development would result in an increase in daily multi-modal trips, however, a significant proportion of trips would be made by sustainable modes including walking, cycling and public transport.

TS.6 It is considered that the proposals would result in a minimal impact on the local highway network. Any additional trips from the proposed development would not be anticipated to result in a detrimental transport impact and would be suitably accommodated within the existing highway and transport networks.

TS.7 It is considered that the proposals could be accommodated without detriment to the operation of the local highway and transport infrastructure networks. As such, the development proposal would not result in a 'severe' impact and is considered acceptable in accordance with national and local policy.

Transport Statement Addendum

TSA.1 A review of the collision data indicates that the collisions could not be attributed to any visibility issues on the public highway, which is supported by only three serious collisions occurring and no fatalities within the observed five-year period. It is noted that as only a total of three collisions occurred during 2020 and 2021, there is no positive correlation that suggests any increase in collisions.

Heritage Statement

HS.1 The site is a sensitive one, given its central location in Ashford, with a long history of milling that likely stretches back to the eleventh century. However, much of the sites historic character, including its contribution to the urban grain of East Hill, was destroyed during a catastrophic fire in 1974. As

a result, the surviving, non-designated heritage assets on the site appear somewhat isolated; unsympathetic extensions from the early 1980s, when the buildings were converted into a nightclub, detract from both the significance of the non-designated heritage assets and Ashford Town Centre Conservation Area. As such, there is an opportunity to reinstate the historic fabric of the site and the historic urban grain of its surroundings through high-quality new development.

HS.2 The proposals bring a contemporary architectural approach to the site, and derive their character from the site history and mill buildings. Overall the proposals are a highly thoughtful response to the site, and will enhance the sites significance, the character and appearance of Ashford Town Centre Conservation Area, and the settings of the designated heritage assets near the site, and enable the long term conservation of the former mill.

HS.3 The creation of a new public open space on the island east of the former flour mill will allow for the appreciation of the site by the public.

HS.4 The proposals are in full compliance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, which pertain to the settings of listed buildings and Conservation Areas.

HS.5 The proposals' positive engagement with both the non-designated heritage assets on the site, as well as the Conservation Area, is also considered to be wholly in line with guidance set out in the NPPF, specifically paragraph 206, which encourages new, sympathetic development within conservation areas.

HS.6 By bringing redundant buildings and areas into appropriate use, consistent with their conservation, and ensuring that important views of the flour mill's tower are not impacted, the proposals also comply fully with Ashford Local Plan policies relating to heritage assets (Policy ENV13) and conservation areas (ENV14).

Framework Residential Travel Plan

TP.1 The primary objective of the TP is to minimise the number of car trips generated by the proposed development in order to limit the impact the proposed development has on the local highway, in particular at Mace Lane. The TP implementation period would run for five years from first occupation of the site. The TP relates to the residential uses only and would be secured by either planning conditions or S106 obligations.

TP.2 The proposed development would provide 43 residential car parking spaces, as well as 4 office parking spaces and 7 parking spaces for staff of the Ashford School (54 in total). 90 cycle spaces would also be provided.

TP.3 Ashford benefits from a number of local facilities, most of which are located within walking or cycling distance from the site. Several key facilities are accessible within walking distance of the site. These include retail opportunities, including

foodstores, bars, cafés and services that may be used by future residents, such as local educational facilities. Ashford International Station is located approximately 750m to the south of the site, which is within a short walking distance.

TP4. Mace Lane, East Hill and the surrounding roads facilitate access on foot from the site into the centre of Ashford and its amenities. The route to Ashford town centre is a generally well maintained and is an accessible pedestrian environment. Footways are present on both sides of East Hill and Mace Lane to aid pedestrian movement and dropped kerbs and tactile paving are present at minor junctions.

TP.5 Key routes in the vicinity of the site, such as those to Ashford town centre, are of good quality and are conducive to travel by foot. The footways also enable pedestrian movements to and from nearby transport connections.

TP.6 Local cycle routes are adjacent to the site, which is suitable for cycling and largely follows the East Stour River. This would provide access from the site towards Ashford International Train Station via Newtown Road. Additionally, many of the residential roads in the vicinity of the site are suitable for cycling, due to their low-speed limits, and relatively shallow gradients.

TP7. The nearest bus stops are located to the north of the site on Mace Lane, with the westbound stop situated approximately 120m walk from the site, and the eastbound stop situated approximately 80m from the site. These stops serve several bus routes, including 1, 2, 2A, 10, 10A, 10X, 11, 11A, 1SS, 18A, 111, 123, 124, 125, 516, 518, 666, 925, AS2, AS3, C, RJ1 and WS2. These bus routes serve numerous destinations throughout Kent including Canterbury, Tenterden, Faversham and Folkestone.

TP.8 Ashford International Railway Station is located approximately 750m walking distance to the south of the site, which is approximately a nine-minute walk. Ashford International Station is also accessible via the numbers 1 and 2 bus routes, which can be accessed from the bus tops located on Mace Lane. Ashford International Station is managed by National Rail, with Southeastern and Southern Rail trains serving the station.

TP.9 Ashford International Station affords step-free access to all users and has bicycle and car parking provision available at the station, with 454 sheltered cycle spaces located adjacent to the bus stop in front of the station and a total of 135 car parking spaces available at a daily charge of £8.30, with an off-peak rate of £7.50. Ashford International Station has 15 accessible spaces available, which are free of charge for blue badge holders. A taxi rank is located to the front of Ashford International Station on Station Approach Road, with accessible taxis available to book on request.

TP.10 Trips will be made to various destinations, depending upon the reason for travel. National statistics, indicate the journey purposes of all journeys made annually. This indicates that leisure, shopping, commuting, business and education trips typically account for around three quarters of all journeys.

TP.11 It is recognised that walking, cycling and public transport may not be the most suitable travel choice for all residents all the time. Many families have children in school and require a vehicle to pick up / drop off their children to school as part of a linked trip. The purpose of the TP is therefore to enable residents to make sustainable travel choices to suit their lifestyle or stage in life.

TP12. In order to achieve the primary objective of the TP, a number of objectives have been set which are:

- To increase the proportion of trips made by sustainable modes.
- To make residents aware of the benefits of sustainable travel.
- To assist residents in making sustainable travel choices.

TP.13 In order to achieve the objectives set out in the TP, a number of measures would be used to encourage residents to travel sustainably - firstly, infrastructure measures (hard measures) which are part of the development proposals and secondly the provision of travel related information (soft measures). Hard measures include the provision of cycle parking with every dwelling, in excess of ABC's adopted standards and reduced number of car parking spaces on-site in order to promote more sustainable modes of travel. The exact details of the soft measures to be provided have not been determined at the time of writing the outline Travel Plan, however the measures which would ultimately be considered for implementation and included in the final Travel Plan (post permission) would be led by a Travel Plan Coordinator (TPC) who would be instructed prior to first occupation of the site to deliver soft TP measures throughout the TP implementation period.

TP.14 Information about walking and cycling routes would be made available to new residents.

TP.15 The TPC would aim to facilitate the setup of a bicycle user group (BUG) as well as a residents' steering group for the new development, subject to interest from residents.

TP.16 The TPC would disseminate information regarding sustainable travel and alternatives to the private car. The TPC would endeavour to negotiate discounts or promotions for residents at local cycle stores and for discounted bus tickets. The TPC would also promote 'Bikeability' or equivalent cycle training courses to residents. Each household (first occupants only) would have the opportunity to apply for a £50 voucher for a local cycle shop. This would be an alternative to a bus season ticket.

TP.17 Information on the public transport routes and facilities in the vicinity would be made available to new residents.

TP.18 Car sharing would be promoted to new residents of the development, particularly in relation to journeys to work. Residents would be provided with information about car sharing via the car share website (<https://liftshare.com/uk>). A leaflet explaining the benefits of the car share scheme and how to register would be provided to residents.

TP.19 It is anticipated that the provision of travel related information would be made available via a Travel Information Pack (TIP) for residents as they first move into their new home. This would enable residents to make sustainable travel choices and form sustainable travel habits from “Day 1”.

TP.20 It is anticipated that the TPC would compile annual newsletters to inform residents of any travel related events and to provide other relevant information. Engagement and participation from residents will be key. Five years after initial occupation of the new residential development, the developer would no longer be responsible for the management of the TP. At this time the management of the TP would revert to a residents’ committee.

Statement of Community Involvement

SCI.1 Representations from the local community and key stakeholders have been taken into account during the preparation of the application. This engagement has included the hosting of a dedicated online community consultation portal as well as the consideration of community feedback, the application submission has also been shaped by direct engagement via pre-application meetings with Ashford Borough Council, a Members Briefing, engagement with Central Ashford Community Forum, as well as statutory stakeholders and a presentation and critique from the Design South East Panel on two separate occasions.

SCI.2 It is concluded that the application has been prepared in accordance with Paragraph 39 of the National Planning Policy Framework (NPPF) (2019), which attributes significant weight to early engagement and pre-application discussions between public and private sectors.

Sequential Test Assessment

ST.1 A comprehensive assessment has been undertaken for each site. This shows that for every site assessed, there are compelling reasons that the sites are either not suitable or available as an alternative to the application site. Therefore, the sequential test is met.

Exception Test Assessment

ET.1 The Exceptions Test has been undertaken following a separate related Sequential Test. The Sequential Test concluded that there are no comparable sites available at a lower risk of flooding within the geographical search area, with due regard to the agreed methodology. On this basis the Sequential Test is passed.

ET.2 As the Sequential Test demonstrates that it is not possible to use an alternative site, the exceptions test is required.

ET.3 The Exceptions Test outlines how flood risk will be managed. In line with published guidance it shows that the sustainability benefits of the development to the

community outweigh the flood risk, and that the development would be safe for its lifetime. The supporting Flood Risk Assessment provides detailed commentary and assessment of the sites drainage strategy including flood risk management.

ET.4 The development is proposed to include residential dwellings which is defined as a 'more vulnerable' use according to the NPPF.

ET.5 It is recognised that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

ET.6 The wider sustainability benefits to the community which result from the proposed development are numerous (set out in the planning statement and summarised above).

ET.7 Overall, the proposal would constitute sustainable development and there would be no 'significant and demonstrable' adverse impacts which would outweigh the benefits. The proposal accords with the provisions of the Development Plan and represents a deliverable, sustainable and suitable development in accordance with Paragraph 11 of the NPPF. It is considered that - when read alongside the submitted Planning Statement -the development would not increase flood risk elsewhere. This strand of the Exceptions Test is considered to have been passed.

ET.8 Details of Flood Risk Mitigation is provided at Table 7.1 of the submitted FRA. The FRA concludes at Chapter 9 that the risk of flooding from all sources is generally low, and the development can be operated safely and without significantly increasing flood risk elsewhere. However, a risk of fluvial flooding, as well as a number of residual risks have been identified, associated with public sewers, site drainage and water supply pipes and intense rainfall. Appropriate mitigation measures have been provided to address and manage the risks and residual risks from these forms of flooding. The mitigation measures which include appropriate finished floor levels and flood warning systems demonstrate that the proposed development- in accordance with guidance - can be made safe for the duration of its lifetime. The second strand of the Exceptions Test is considered to have been passed.

Flood Risk Assessment & Drainage Strategy (Revision A)

FRA.1 As the site is currently brownfield in nature an existing foul water drainage network is present which would be re-used were condition and positioning allows and removed/replaced where necessary. There are two drainage channels that flow from the western extent of the site boundary adjacent to East Hill which both run

south following the gradient of the site boundary. These are connected to rainwater pipes found on the external boundaries of the current buildings. There is also a drainage channel connected to several rainwater pipes in the northern extent the site, connected to the current disused mill building. Therefore, it is assumed that the SW flows will flow the course of the drainage channels and discharge into the adjacent river and the FW will flow into existing combined sewers.

FRA.2 The development is proposed to include residential dwellings which is defined as a 'more vulnerable' use according to the NPPF. Given the proposed land use classification and the location of the Site within Flood Zone 3, the Sequential and Exception Tests have been undertaken.

FRA.3 The ground floor of the proposed buildings will be set at 35.80 mAOD which is generally close to the existing level of the Site. The floor level of Block A and Block B will be retained as the existing Block A level (36.04 mAOD).

FRA.4 All accommodation would be provided on the first floor and above. The lowest first floor level on site is set at 38.83 m AOD, which means that the first-floor level will be 2.51 m above the 1 in 100 plus 45% climate change event.

FRA.5 Flood risk from fluvial sources - EA flood mapping, indicates that a large part of the site boundary is at a lower risk of flooding. A substantial amount of the southern extent of the site (Flood Zone 2) should only experience between a 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of fluvial flooding in any one year. Parts of the northern extent of the site are within Flood Zone 3, which is assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year.

FRA.6 After conversations with the EA it was agreed that a hydraulic modelling exercise would be required to assess the impact of the new development proposals at the site to ensure the occupiers are safe from flooding and that the development does not increase flood risk elsewhere.

FRA.8 The site is considered to be at a low/medium risk of fluvial flooding, as there is a medium likelihood of flooding on the site but due to all accommodation being above ground floor level and with appropriate flood mitigation in place, there is a low likelihood after mitigation measures. Additionally, it is evident that the water does not get out of bank for both the East and Great Stour for the 1 in 20 year event with the flood mitigation measures incorporated within the developed case scenario. As a result, it can be concluded that the site post development remains dry within the 1 in 20 year event thus out of the Flood Zone 3b extent.

FRA.9 Flood risk from surface water - The EA Surface Water Flood Mapping suggests that the majority of the site is primarily at a 'low' to 'medium' risk of surface water flooding, which is defined as having between a 1 in 100 (1%) and 1 in 1000 (0.1%) probability of flooding. A small area of the site towards the North has a 'High' risk of flooding, which has a 1 in 30 (3.3%) or greater probability of flooding. These areas of higher risk are directly correlated to the two watercourses subdividing the site. However, this section does not directly affect the proposed development area.

FRA.10 Given the nature of the proposed development with all residential accommodation on the first floor and above as well as the dwelling units being placed away from primary flow routes, it is considered that the risk from surface water flooding is generally low. Flooding from surface water remains a residual risk due to the potential for rainfall to exceed the design standard of the proposed drainage system and the effects of climate change on the frequency and severity of rainfall events, appropriate mitigation measures are therefore proposed.

FRA.11 Flood risk from groundwater - the risk of groundwater flooding in this location is considered to be low, particularly given the adjacent watercourses will provide a control to this.

FRA.12 Flood risk from public sewers - The SFRA shows no record of sewer flooding affecting the site or the immediate area and the risk of sewer flooding is therefore considered to be low. Sewer flooding from blockage of private site and building drainage as well as the Southern Water network is, however, a residual risk managed by the design of the site drainage and regular inspection and maintenance of the public and private sewer network. The flood risk associated with this source may also increase over time due to the effects of climate change. Appropriate mitigation measures are therefore proposed.

FRA.13 Mains water flood risk - Flood risk from this source is considered to be a residual risk with no existing mains shown within the South East Water asset plans crossing the site or within the immediate area. The main threat therefore will be from damage to newly constructed internal pipe work during the construction phase or as a result of any future building works.

FRA.14 Flood history – A review of the SFRA and PFRA together with KCC records confirms these documents hold no records of flooding affecting the site itself.

FRA.15 the risk of flooding from all sources is generally considered to be low to moderate.

FRA.16 Foul water strategy - Foul water from the site has been designed to drain to a connection to the 900mm combine sewer crossing the site. The connection point would be confirmed with Southern Water as part of ongoing discussions relating to the build over agreement concerning this sewer, as part of the detailed design.

FRA.17 The following provides a summary of the proposed method of management and disposal of surface water runoff from the site:

FRA.18 Surface water flows will be attenuated using SUDs.

FRA.19 Given the nature of the development all site drainage will be managed by a site Management Company.

FRA.20 As this development is within the Stour catchment it will be required to demonstrate nutrient neutrality in relation to both foul and surface water discharged from the site.

FRA.21 The FRA sets out the proposed flood warning measures such as flood kits and Flood alerts.

FRA.22 The FRA concludes that the risk of flooding from all sources is generally low, and the development can be operated safely and without significantly increasing flood risk elsewhere. However, a risk of fluvial flooding, as well as a number of residual risks have been identified, associated with public sewers, site drainage and water supply pipes and intense rainfall. Appropriate mitigation measures have been provided to address and manage the risks and residual risks from these forms of flooding.

Bat Survey Report

BSR.1 The main findings of the surveys were that:

1. Day roosts of small numbers of widespread species are present within part of the building which is to be demolished.
2. The trees, hedgerows and waterways surrounding the site are used by bats including light-averse species.
3. There was no evidence to suggest bats are using the internal spaces for feeding at night.

BSR.2 The works as outlined are sure to result in the loss of day roosts of a low number of widespread species.

BSR.3 A Natural England derogation licence will need to be granted to impact the day roosts as avoiding impact will not be possible.

BSR.4 Bat sensitive lighting of the site will be required during and after construction to ensure the development does not have a negative impact on well-used bat habitats surrounding the site.

BSR.5 Mitigation and compensation measures for all impacts are provided within the Bat Survey Report and include measures such as supervised works to roosts by a licensed bat worker. Enhancement measures to ensure a net gain for bats at the site are also provided such as the provision of bat boxes.

Phase 1 Contaminated Land Assessment

CLA.1 The potential presence of contamination arising from the historical/current use of the site and surrounding area is considered to be of likely and to pose a moderate risk to future end-users and a low to moderate risk to buildings and services.

CLA.2 The risk to end-users from the presence of ground gas on site is considered to be low to moderate due to the Alluvium presenting a potential ground gas source at the site. The potential risk to construction workers is considered to be low with respect to made ground although moderate with respect to asbestos-containing soils (ACSs) with protective equipment recommended for any ground works.

CLA.3 The potential risk posed to groundwater and surface waters is considered to be moderate to low due to proximity to surface watercourses.

CLA.4 The potential risk posed by Unexploded Ordnance (UXO) has been assessed as moderate.

CLA.5 The potential risk posed by Radon Gas to future residents is considered to be very low.

Landscape Design and Access Statement & Addendum

LDA.1 The Landscape D&A outlines the vision, principles and concepts which have guided the development of the public realm and landscape proposals for the site. The principles for this scheme are based on those set out in the master planning process. The objective behind the design is to create a network of interconnected external spaces that contribute and enhance the setting and uses of the proposed buildings, whilst restoring and reconnecting access to a 'lost' parcel of public realm and amenity offering to live in and enjoy. A large proportion of the space will be opened up to the public via existing bridges and river walk connections through the development that provide new routes through the residential and commercial parts of the site to the existing 'river-side' of the East Stour and 'The-Island' once inaccessible.

LDA.2 The Masterplan provides for a series of green spaces which would connect the open spaces and community facilities. A defining feature of the supporting landscape strategy is this permeability and the creation of high quality spaces that reference the rich history of the site.

LDA.3 The design of the public realm employs a contemporary industrial language in the composition and distribution of places to create a compelling identity for the scheme. The public realm design also references the industrial heritage and stitches that past into the proposed materials to form a richly detailed sense of place.

LDA.4 The site sits in proximity to some important green open spaces. Access and connections to and from the site will offer a multitude of choices to explore the local diversity. Walks along the East Stour River through to Queen Mother Park, Civic Park and Ashford Town Centre will be encouraged by opening up the site to public access.

LDA.5 The conceptual design process used information gathered from the site to create an identity for the proposed landscape and public realm. This research has included an analysis of the industrial processes that have shaped the history of the site - distilled to inform the aesthetic and narrative of the design development.

LDA.6 The design of the landscape masterplan aims to create a permeable and fully accessible public realm areas responding to the conditions within the existing site and incorporate them into a series of new landscape spaces. The overriding concept has been to build upon the sites greatest natural assets – The existing mature trees, the Great Stour and East Stour rivers and to create an attractive place in which people want to dwell. The project would revive the river access by uplifting its setting

through re-graded banks and the creation of a new river walk and boardwalk down to the rivers edge. These improvements would provide better access to the waterside and enriched habitats and natural biodiversity.

LDA.7 The key objectives of the landscape strategy are to:

- Create a network and hierarchy of new public open spaces;
- Improve the site's permeability and connection to the surrounding network of streets and spaces including the river-side;
- Make the 'island' site and the connected open space publicly accessible and to promote a feeling of inclusiveness, safety and security across the site;
- Define and reinforce activities and functions appropriate to their location within the site boundary;
- Apply treatments that are appropriate to the scale of the development and help to unify the scheme;
- Create physical and visual connections to aid wayfinding, legibility and connectivity of the development;
- Build on the distinctive form of the retained architecture and the site's rich history;
- Refine and reinforce the character of the development;
- Develop a palette of materials, appropriate in scale, quality and longevity in keeping with the anticipated levels of usage;
- Draw natural elements into the site as a means to provide amenity and recreational spaces as well as enhancing biodiversity and ecology to the local area.

LDA.8 The proposals set out 5 distinct landscape character areas - Riverside Square, The garden Courtyard, The River Walk, The Island and the , Entryway and Car Park (these are explained in detail in the proposal section of this Planning Committee Report)

LDA.9 The aim of the planting approach is to create a sheltered, green and attractive place for people to live and visit, whilst maximising the potential for wildlife benefit. It uses a combination of native and non-native plants to achieve the mixes and create a palette that is resilient in the long term. Areas within the landscape masterplan have been assigned a soft landscape materials palette. There are a total of 5 mixes which are specific to each place, giving it identity and distinctiveness. The mixes will provide continuity and coherence between each area. Each palette also includes ground cover planting mixes.

1. Marginal meadow
2. Shade Tolerant Planting
3. Full Sun Tolerant Planting
4. Naturalistic Planting
5. Retained and Enhanced Vegetation

LDA.10 Proposed sustainable approaches include:

- Proposed timber from certified sustainable sources for all bridges and signage

- Proposed native species for 90% planting
- Proposed a meadow seed mix of locally appropriate seeds only
- designed the new river channel to maximise biodiversity
- Proposed deadwood habitats
- Proposed integrated insect hotel seating
- Increase in habitats in the landscape, reducing the area of amenity grass, and replacing it with, marginal habitats and wildflower meadow (providing increased variety of colour and a much richer habitat for a variety of birds and insects.
- Native tree planting, wild flowers and self-seeding areas have been proposed to establish along the river banks throughout the riverside park.

LDA.11 The social sustainable impacts of the landscape have also been considered. To ensure an enjoyable safe space throughout the day and evening any spaces which are overgrown and therefore difficult to see into, have been redesigned and opened up to be inviting and safer.

LDA.12 Creating a net gain of biodiversity is crucial to ensuring that a development helps to protect the wider landscape. A biodiversity net gain means that the ecosystem of an area has a greater number of species and habitats than it did previously. This leads to an overall healthier environment for flowers and wildlife. Several strategies that could be implemented to create a biodiversity net Gain are:

- Planting a wide range of native plants.
- Plant species which encourage pollinators and provide habitat for nesting birds.
- Plant fruiting and flowering varieties which can feed wildlife.
- Place bat and bird boxes in appropriate places within the site where they won't be disturbed.
- Place 'bug hotels' within the site, and leave wilder areas for insects and animals.

LDA.13 SuDS is of particular importance within this site owing to its propensity to experience seasonal flooding. It is therefore proposed to make all outdoor spaces water resilient, as well as including additional hidden drainage and rain gardens. Rain gardens are proposed in a number of spaces in order to discharge surface water drainage into the underlying geology. Paving should be laid to falls in areas to direct water to the rain gardens where they will intercept and slow surface water down from new hardstanding areas and prevent it from entering directly into the river network, thus reducing the volume of runoff from the park area and reducing the flood risk from the site.

Archaeological Desk Based Assessment

ARCH. 1 Existing evidence is insufficient to judge the likelihood of prehistoric or Romano-British archaeology surviving within the PDA (proposed development area).

ARCH.2 The mention of mills in both Domesday and sixteenth-century manorial records, suggests a potential continuity of the use of the site during the Anglo-Saxon

(and possibly earlier), medieval and post-medieval periods, with definite use of the site as a mill in the lattermost period confirmed by map regression and documentary evidence, continuing into the modern period.

ARCH.3 Archaeological remains might be extant within the proposed development area and could be disturbed or destroyed through development groundworks.

ARCH.4 Further mitigation of the potential effects of development groundworks is likely to be a condition on planning consent.

Preliminary Ecological Appraisal and Water Vole Survey

EN.1 In response to the proposed development a Preliminary Ecological Appraisal (PEA) of the site has been undertaken, the results of which serve to determine the sites potential to support habitats and species of conservation concern.

EN.2 There is one statutory designation within 2km of the site, Ashford Green Corridors Local Nature Reserve, which is located 0.4km from the site. There are six non-statutory designated sites within 2km of the site. One, Great Stour Ashford to Fordwich Local Wildlife Site, is adjacent to the site.

EN.3 Appropriate best practice pollution prevention measures will be detailed in a Construction Environmental Management Plan to ensure no significant negative effect on this site. Due to the spatial separation between the site and the other designations, and limited scope of the proposed development, it is considered unlikely that the development would affect any other designated sites of conservation importance. For the same reasons, it is considered unlikely to affect any areas of ancient woodland or Habitats of Principal Importance on Section 41 of the Natural Environment and Rural Communities Act 2006.

EN. 4 Habitats within the site are common and widespread and therefore no further botanical surveys are required to enable a robust assessment of their intrinsic ecological importance.

EN.5 It is recommended that trees should be retained and protected in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction' where possible. Should trees require removal, these should be replaced with native specimens of local provenance.

EN.6 A single building is to be affected by the proposed development which has been assessed as having 'High' suitability to support roosting bats and, in accordance with the current Bat Conservation Trust (BCT) guidelines (Collins, 2016), three separate dusk emergence and/or pre-dawn re-entry survey visits are required in order to ascertain whether the building supports any current bat roosts.

EN.7 One tree (TR1) on site was assessed as having 'Low' bat roost potential. It is considered likely that this tree will be retained and therefore would not require any further survey works, provided any artificial lighting required would avoid any light spill onto this tree. If the tree is to be felled, an endoscopic inspection of all the potential roosting features by or supervised by a licensed ecologist should be

undertaken immediately prior to felling. All other trees within the site are in good condition and no features suitable for roosting bats were recorded.

EN.8 Lighting can be detrimental to bats' foraging and commuting behaviour and should be avoided within the site, if possible. Any external lighting that is deemed necessary for the proposed redevelopment should be sensitive to the boundary trees and any post development bat roost features/boxes within the site, avoiding direct illumination of them, for example through the use of directional and low-level/downward pointing lighting (light spill must only be at or below the horizontal plane), ideally of a colour temperature of 2700K or less, with no UV component and motion activated, where possible. All lighting should be sensitively designed in accordance with the industry standard Bats and Artificial Lighting in the UK guidelines (Bat Conservation Trust and Institutions of Lighting Professionals, 2018).

EN.9 Great crested newts and reptiles are considered likely absent from the site, due to the only suitable habitat present on site, consisting of the island area being isolated from other suitable habitat by the Stour and east Stour providing barriers to newt and reptile dispersal onto the site.

EN.10 Suitable bird nesting habitat exists within the site and recommendations in regard to timings and methods of best practice for breeding birds have therefore been provided.

EN.11 Records of water voles within 2km of the site were returned in the desk study but no evidence of water vole or otter was found during the further surveys; precautionary recommendations should therefore be followed.

EN.12 The likelihood of other protected and notable species to occur within the site is considered negligible and no further surveys for other protected species are required. Should at any point a protected or notable species be identified within the site then all works should stop, and the appointed ecologist consulted on the appropriate manner in which to proceed.

Tree Report

ARB.1 The site was surveyed on 23rd August 2021 following the guidance contained within BS5837:2012 – Trees in relation to design, demolition and construction - Recommendations.

ARB.2 The proposal would result in the removal of four poor quality individual trees and four poor quality tree groups due to proposed level changes, layout proposals and general poor health. Extensive landscaping would be provided that significantly enhances the site. None of trees on the site are considered to be veteran trees.

ARB.3 All structures would be located outside of the Root Protection Areas (RPA's) of the retained trees. BS5837 compliant fencing would be erected as required to protect some, but not all retained trees.

ARB. 4 Tree quality across the site has been assessed as follows:

B.S. 5837:2012 Category	Survey Numbers	Total
U	G3, T8, G18, G26, T31, T32	6
A	-----	0
B	T1, T2, T6, G7, G9, T10, T11, T13, T14, T20, T21, T22, T24, T25, T33,	15
C	T4, T5, G12, T15, T16, G17, G19, T23, G27, T28, G29, T30, G34, T35	14

ARB.5 The trees to be removed are:

G3 – Three Silver Birch trees located within a triangular raised bed within the existing council controlled car park. The triangular bed within which they stand is to be demolished. The three Silver Birch trees are dead and require removal regardless of the development proposal.

T4 – Leyland Cypress, occupies the same raised triangular bed at G3. The raised triangular bed is to be demolished to enable the formation of additional car parking spaces.

T8 – Willow, has been previously pollarded to a height of three metres above ground level, presumably in response to the extensive decay that is evident throughout its base, and has regenerated to its current height. Multiple *Ganoderma spp* fungal brackets are evident around the base of the tree. The tree displays poor vitality with dieback evident throughout. The Willow requires removal regardless of the development proposal.

T16 – Small Cordyline, is located within a raised bed on the western side of the building. The raised bed is to be demolished.

G17 – The single, small seedling origin Ash tree and one Cupressus stand in a raised triangular bed close to the front of the Mill. The raised bed is to be demolished for the widening of the watercourse.

G18 – Comprises a scrub group of Willow, seedling origin Ash and Sycamore that has established itself at the base of the Mill on its the northern elevation at the confluence of the Great Stour and East Stour rivers as they emerge from either side of the building.

G26 – Comprises a group of small seedling origin Ash and Sycamore that have established itself on the eastern side of the mill.

T32 – Ash, stands on the island to the east of the Mill. T32 has extensive dieback evident throughout its canopy (Ash dieback) and is considered to pose an unacceptable risk to users of the public footpath that runs along the opposite side of the river. The tree should be removed regardless of the development proposal.

ARB.6 The trees to be removed are not considered to possess high public visual amenity value and their loss is not considered detrimental to the character of the local landscape. New landscaping across the application site will mitigate their loss. A number of small seedling origin trees and shrubs (Ash, Sycamore and Buddleia) have inevitably begun to establish themselves around the building and are to be removed, however these were considered to be too small to be recorded.

ARB.7 In addition to the tree removals, some remedial work will be required on the following trees:

T2 – Sycamore, prune out all large diameter (>50mm) dead wood and raise canopy to give five metres clearance above adjacent car park.

G7 – Group of eleven Lime trees located within the car park of The Star Inn. The canopies of these trees extend over the boundary wall of the application site and hang low over the existing car park. The canopies of these eleven trees are to be raised to a height of eight metres above ground level by way of removing the dense epicormics growth that shrouds their main stems in order to remove encroachment from over the application site. Evidence suggests that the eleven Lime trees were once pollarded frequently at a height of four metres above ground level, from which they have regenerated to their current dimensions.

T24 – Ash, is located on the island to the east of the Mill. The canopy of the Ash tree extends across the river and grows close the side of the building. The western side of the canopy of T24 will be pruned back by a maximum of three metres in order to remove encroachment from the Mill and to re-balance the canopy.

T25 – Ash, is located on the island to the east of the Mill. The canopy of the Ash tree extends across the river and grows up against the side of the building. The western side of the canopy of T25 will be pruned back by a maximum of five metres in order to remove encroachment from the Mill and to re-balance the currently asymmetrical canopy.

ARB.8 The proposed development is to be constructed outside of the RPA's of all retained trees. Extensive hard surfacing extends throughout the RPA's of a number of trees in the form of the existing highways, footpaths and car parks that extend across the site. A recommendation is made for the retention of the existing surfacing during the construction phase of the proposed development in order to protect any underlying roots. The installation of services within RPA's should be avoided where possible.

ARB.9 A tree protection plan is included within the report.

Planning History

There is no recent relevant planning history since the use of the building was authorised as a nightclub in the 1980's.

Consultations

Given that amended plans have been submitted during the course of the application, technical consultation responses below summarise the most recent consultation response where applicable.

Ward Members: There are two Ward Members, Councillor Farrell and Councillor Suddards who are not members of the Planning Committee. No comments have been received from the Ward Members.

Neighbours – 80 residents consulted, 7 letters of objection received. Comments are summarised below:

- This proposal represents the overdevelopment of a site.
- The site is located within the floodzone.
- The proposed development would be too bulky and would visually detract from the Mill and the Green Corridor.
- The development would be contrary to the Green Corridor policy.
- The development would result in the loss of North Park (now Civic Park)
[SD&DM comment: The site does not include Civic Park]
- The mill is a warm brick colour or medium brightness, with some lighter features such as window arches. The medium to dark grey colour proposed will neither preserve nor enhance the protected building or the visual amenity of the area. The NPPF makes clear that the beauty of new dwellings is a material concern. 'Beautiful' cannot be used to describe the new elements when their colour is so at odds with the area in general and the detail of the protected buildings.
- More parking should be provided.
- There will be an increase in traffic in the area.
- The proposals are not architecturally in keeping with the area.
- The local GP service will be unable to cope.
- The existing car park is still used.
- The Flour Mill should be turned into a museum.
- The construction will cause traffic chaos on Mace Lane.

Ashford School – Support commenting as follows:

“The redevelopment of the Flour Mill will bring much needed improvement, both aesthetically and safety/ security, to that area of East Hill. We very much hope that the work can start as soon as possible so that we all see the benefit. We look forward to working with the developer to minimise disruption to the School community”.

Environment Agency: No objections subject to conditions relating to finished floor levels (FFLs), floodplain compensation and the submission of a landscape and ecological management plan. The applicant is also advised that a Flood Risk Activity

Permit (FRAP) will be required for any elements of works planned within 8m of the fluvial main river(s).

Natural England: No objections, comments are as follows:

The proposed development falls within the Stodmarsh Nutrient Impact Area. All new development with overnight accommodation must take into account Natural England's Advice on Nutrient Neutrality for New Development in the Stour Catchment. Ashford Borough Council will need to address the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), for which the applicant will need to provide information regarding nutrient budget calculations in alignment with Natural England's guidance.

The 'Great Stour, Ashford to Fordwich' Local Wildlife Site (LWS) runs adjacent to the site (the river), which is also a priority habitat under the S41 of the NERC Act 2006. The submitted documents state that best practice pollution guidelines will be implemented into a Construction Environmental Management Plan (CEMP) to negate adverse impacts to the LWS during the construction. Recommends that a CEMP is conditioned with any granted planning permission.

Recommends a bat mitigation strategy and advises that mitigation measures will need to be implemented under licence from Natural England.

Recommends a condition to ensure the incorporation of sensitive lighting design for bats.

States that the ecology report makes suitable recommendations, including native species planting, wildflower/scrub habitat creation and the provision of (integrated) bird nest/bat roost opportunities. To ensure the incorporation of ecological enhancements, it is advised that a condition is attached to any planning permission.

KCC Heritage: Comments that the applicant has submitted an Archaeological DBA which is reasonable but it does not quite cover the full range of archaeological assessment. It would be preferable for a fully comprehensive archaeological assessment of the buildings and of the landscape features to be undertaken to ensure that the impact on significant archaeology was reasonably understood and if necessary appropriate mitigation measures, including preservation in situ, could be integrated into the proposals. Conditions are recommended to ensure appropriate archaeological investigation and mitigation is ensured.

ABC Open Spaces and Street Scenes: Request S106 contributions in respect of the following:

- Informal/natural open space
- Strategic Parks
- Allotments

- Play
- Outdoor and indoor sport
- Arts
- Voluntary sector

KCC Developer contributions: No objections subject to S106 financial contributions relating to the following:

- Primary and Secondary Education
- Community Learning
- Youth Services
- Libraries
- Social Care

Kent Fire and Rescue: Advises that KF&R would require a minimum carrying capacity of 16 tonnes for any access arrangements to the proposed buildings. States that fire service and access arrangements are a requirement under B5 of the Building Regulations and that full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

Clinical Commissioning Group: No objections subject to a financial contribution being secured by S106 towards the refurbishment, reconfiguration and/or extension of Sydenham House Medical Centre and/or Hollington Surgery and/or Wye Surgery and/or towards new general practice premises development in the area.

ABC Housing: No objections stating that there is no requirement under Local Plan policy HOU1 for any of the homes to be affordable dwellings. Comments that the properties should meet the Nationally Described Space Standards. Also states that in line with Policy HOU14 of the local plan, 20% of all dwellings should be M4(2) standard, i.e. accessible and adaptable.

Southern Gas Networks: No objections.

KCC Flood and Water Management: No objections subject to conditions stating that the drainage strategy shows that the surface water runoff discharges to the adjacent rivers at a rate of 1l/s from two flow control chambers restricting the discharge from attenuated permeable paving. Comments that a site evacuation plan is required for the development to detail the measures that will need to be followed in the case of a flood – to be secured by condition.

ABC Refuse: No objections stating that the number of bins proposed is appropriate. Comments that any commercial bins to be serviced are completely separated from the domestic bins.

ABC Environmental Health Manager: No objections subject to conditions relating to contamination mitigation, noise mitigation (to protect residents from noise related to the Star PH), EV charging, hours of construction and construction best practice.

Kent Police: No objections but provides advice in relation to designing out crime.

Kent Highways: Comment as follows following the receipt of additional information:

Accident data has been sourced from Kent County's crash team and it does not show a particular highway safety issue in the vicinity of the site.

The proposed traffic calming measure on East Hill has now been subject to a Stage 1 Road Safety Audit and Designers Response. It is the County Council's view that the proposed traffic calming scheme is not required given that traffic speeds on East Hill are low and likely to be less than the current 30mph speed limit. The traffic calming scheme should be removed.

Refuse vehicle tracking for the site for a vehicle 11.35 metres in length has been submitted and is satisfactory.

The proposals will involve the loss of the current pay and display car park which is currently managed by Ashford Borough Council. The Borough Council will need to take a view as to whether or not the loss of the car park in principle given the effect that the COVID-19 pandemic has had on usage of the car park as most Borough Council staff are now working from home who tended to be the main users of the car park.

The proposals are for a total of 53 apartments plus 123 square metres of office space. Based on parking standards a total of 70 should be provided. It is therefore likely that overflow car parking will take place on surrounding streets unless parking restrictions are put in place to prevent this. A controlled parking scheme is therefore needed for Mill Court and Miller Close and a double yellow line scheme is also required for the eastern part of East Hill as parking can take place between 6pm and 8am and all day on a Sunday. A suitable Section 106 contribution would need to be secured in order for the Borough Council to deliver these parking restriction schemes.

[SD&DM comment: ABC Parking services have confirmed that a CPZ is not required at this time. It is noted that should on street parking become a problem in the future resulting in existing residents being unable to park that a CPZ could be further explored.

EV charging points are required with a minimum output rating of 7kW.

Kent PROW: No objections and no PROW's affected.

Central Ashford Community Forum: No objection in principle but provides the following comments/concerns:

"Generally speaking, we are pleased to see this brownfield site brought forward for development. We appreciate the applicant's focus on retaining the original Flour Mill

building and maintaining this building as the focal point of the development. We think the density of residents is appropriate for the space providing and especially like the plane to maintain the green space provided by the “triangle” of land between the two rivers and welcome this space being once again accessible to the residents of Ashford.

We do however, have a few concerns we would like to see addressed through the planning process before the development moves forward. The first is the visual amenity of the development. While we acknowledge that everyone’s tastes will differ, we find the dark grey metal cladding throughout the development, but most strikingly in blocks B and D too harsh a contrast to existing buildings on the site and in the surrounding conservation area. And while we appreciated the intent to have block B be the transition from the old to the new build with a nod to the industrial past of the site, the materials are not in keeping with the surrounding buildings in the area, nor do they represent any architecture that existed on or near the site. We have a concern that this type of material will quickly become dated and lose its appeal, especially with the impacts and effects of the weather and environment.

We echo the concerns raised by the environmental agency, namely:– 1) development on the flood plain and not mitigated enough to remove the 3b flood plain status; 2) Ground water contamination mitigation; and 3) Impact on Fisheries, Biodiversity and Geomorphology, and would like to see these addressed prior to planning permission being granted.

We have previously raised our concerns about the possible archaeological interest in the site and would like to echo KCC Heritage’s request that an archaeological DBA be conducted prior to planning approval.

As we look to more electrical cars in the Borough, we would like to see more electric car charging points included in the development.

Finally, knowing that North (Civic) Park is currently used several times a year for outdoor concerts, festivals and events, we would like assurance that these activities won’t be impacted by development adjacent to the park.”

Planning Policy

42. The Development Plan for Ashford Borough comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), the Boughton Aluph & Eastwell Parishes Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022), the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
43. The relevant policies from the Local Plan relating to this application are as follows:-

SP1 – Strategic Objectives

SP2 – Strategic Approach to Housing Delivery

SP3(c) – Strategic Approach to Economic Development

SP5 – Ashford Town Centre

SP6 - Promoting High Quality Design

HOU1 – Affordable Housing

HOU3a – Residential Windfall Development within Settlements

HOU12 – Residential Space Standards

HOU14 – Accessibility Standards

HOU15 – Private External Open Space

HOU18 – Providing a Range and Mix of Dwelling Types and Sizes

EMP1 – New Employment Uses

EMP6 – Fibre to the Premises

TRA2 – Strategic Public Parking Facilities.

TRA3(a) – Parking Standards for Residential Development

TRA3(b) – Parking Standards for Non-Residential Development

TRA5 – Planning for Pedestrians

TRA6 – Provision for Cycling

TRA7 – The Road Network and Development

TRA8 – Travel Plans, Assessments and Statements

ENV1 – Biodiversity

ENV2 – The Ashford Green Corridor

ENV3a – Landscape Character and Design

ENV6 – Flood Risk

ENV7 – Water Efficiency

ENV8 – Water Quality, Supply and Treatment

ENV9 – Sustainable Drainage

ENV10 – Renewable and Low Carbon Energy

ENV12 – Air Quality

ENV13 – Conservation and Enhancement of Heritage Assets

ENV14 – Conservation Areas

ENV15 – Archaeology

COM1 – Meeting the Communities Needs

COM2 – Recreation, Sport, Play and Open Spaces

COM3 – Allotments

IMP1 – Infrastructure Provision

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

Supplementary Planning Guidance/Documents

Affordable Housing SPD 2009

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

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

Sustainable Design and Construction SPD 2012

Public Green Spaces and Water Environment SPD 2012

Ashford Town Centre Conservation Area Appraisal and Management Plan
2016

Heritage Strategy 2017

Green Corridor Action Plan 2017

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) Revised 2021

Planning Practice Guidance (PPG)

Technical Housing Standards – nationally described standards

45. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. 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.

Assessment

46. The main issues for consideration are:
- (a) The principle of the proposal, i.e. how the development of the site fits within the existing local and national planning policies in terms of use and location;
 - (b) Whether the proposals are acceptable in terms of housing mix/affordable housing;
 - (c) The quantum of parking provision and impact of the development on the local highway network;
 - (d) The design quality of the scheme and the impact on the visual character of the surrounding area;
 - (e) Impact on heritage assets, the setting of listed buildings and the Conservation Area.
 - (f) Impact of the development upon the Green Corridor

- (g) Whether the proposed open space / amenity space is adequate to serve the development;
- (h) The impact on residential amenity;
- (i) Whether the proposal is acceptable in terms of flooding and surface water drainage;
- (j) Ecology;
- (k) Other issues;
- (l) Planning Obligations;

(a) The principle of the proposal, i.e. how the redevelopment of the site fits within the existing local and national planning polices in terms of use and location

- 47. Ashford is the borough's principle settlement, representing a sustainable location and the Local Plan sets out that because of this, this is where most development should be located.
- 48. There is a wide and full range of services available within the town centre and the various neighbourhoods that make up the wider urban area. Aside from a limited number of development opportunities in the town centre, the existing urban area provides limited opportunities for development on a significant scale.
- 49. Policy SP5 of the Local Plan states that proposals coming forward in the Town Centre will be supported in principle where they help to deliver the vision for a thriving town centre and where they promote high quality design appropriate to their location. It states that a range of principle uses may be acceptable including retail, offices, leisure, residential and hotel as well as complimentary uses such as voluntary and community uses and health facilities. Criterion (b) states that residential development in the town centre is supported, for example, making use of spaces above shops but that the opportunity also exists to provide a range of types of homes including the potential for serviced private rented apartment schemes.
- 50. Policy SP3(c) of the Local Plan relates to the approach to economic development in the Borough stating that job growth and economic prosperity will be supported in particular through measures such as the maximisation of town centre employment opportunities in accordance with the strategic approach. Policy EMP1 also states that new employment uses are supported in principle within the built up confines of Ashford provided that the character and appearance of the settlement is not significantly harmed, there would be no significant impact upon residential amenity, appropriate parking provision is provided and the impact on the local road network can be mitigated.

51. As stated in policy SP2 of the Local Plan, the Council's strategic approach to the delivery of new housing in order to maintain an adequate supply is to ensure that the majority of new housing will be in Ashford and its periphery, as the most sustainable location within the borough, based upon its range of services and facilities, access to places of employment, access to transport hubs and the variety of social and community infrastructure available. The policy states that windfall housing will be permitted where it is consistent with the Council's spatial strategy as well as other policies in the Local Plan in order to ensure that sustainable development is delivered.
52. The site comprises previously developed land and is not allocated within the Ashford Local Plan, it has been put forward as a windfall housing site, intended to contribute to the overall housing supply. The Council's housing targets make allowance and indeed expects windfall sites to come forward and therefore has a policy specifically related to this.
53. Policy HOU3a relates to the residential windfall development located within existing settlements. The policy states that such development will be acceptable in principle provided the following requirements are met:
- a) It is of a layout, design and appearance that is appropriate to and is compatible with the character and density of the surrounding area;*
 - b) It would not create a significant adverse impact on the amenity of existing residents;*
 - c) It would not result in significant harm to or the loss of, public or private land that contributes positively to the local character of the area (including residential gardens);*
 - d) It would not result in significant harm to the landscape, heritage assets or biodiversity interests;*
 - e) It is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network;*
 - f) It does not need substantial infrastructure or other facilities to support it, or otherwise proposes measures to improve or upgrade such infrastructure;*
 - g) It is capable of having safe lighting and pedestrian access provided without a significant impact on neighbours or on the integrity of the street scene; and,*
 - h) It would not displace an active use such as employment, leisure or community facility, unless meeting the requirements of other policies in this Plan.*
54. The site is located within a highly sustainable location and well related to existing infrastructure being a short walk from a wide range of services and facilities provided within the town centre. Ashford International train station and access to bus services are also close by and can be easily accessed on foot. The site is clearly located within the existing confines of Ashford and thus an area wherein development should be directed.
55. As such, on the proviso that the specific tests of HOU3a (a-h) are met (which I consider in subsequent sections of this report) I consider that the overall

principle of residential development in this location is an acceptable one in terms of Policies SP2 and SP5.

56. The proposals also include the provision of an office space (Use Class E (g)) approx. 123sqm in size that is proposed to be occupied by the applicant Oliver Davis Homes, a local development company. Whilst being the headquarters of Oliver Davis Homes the management of the site would also be facilitated from here. In line with SP3(c) and EMP1 which supports economic development and the creation of new jobs within the town centre I am satisfied that the proposed new office space would be appropriately located and acceptable in principle.
57. The loss of the Flour Mills pay and display car park must also be considered. Policy TRA2 relates specifically to Strategic Public Parking Facilities and states that proposals that would involve the removal or capacity reduction of a publically available car parking facility within the town centre, or which prejudice the ability to deliver multi-storey car parking will be refused unless it has been agreed with the Borough Council that the facility is either no longer required or the alternative provision of the same amount of parking can be delivered in a sustainable location.
58. The proposals would not prejudice the Council's ability to deliver multi-storey car parking (an extant planning permission exists for such a scheme at the Station Road car park). The Council has further confirmed that the Flour Mills car park has been underused for years with use largely being associated with Ashford Borough Council staff parking. Given the changes to working practices in the last few years there is less demand from staff in both the Flour Mills Car Park and the Stour Centre Car Park and it has been concluded that there is sufficient parking available in the Stour Centre carpark to accommodate the parking requirements of staff and other users who would normally utilise the Flour Mills parking facility and accordingly parking at the Flour Mills Car Park is no longer required. I am satisfied that policy TRA2 would be complied with.

(b) Whether the proposals are acceptable in terms of housing mix/affordable housing

59. The NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership.
60. Notwithstanding this, the starting point is the development plan. Policy HOU1 does not require the provision of any affordable housing where a flatted scheme is proposed within the Ashford Town area. No affordable housing is proposed and all units would be privately rented with the applicant retaining management responsibility. As such the proposals are in accordance with policy HOU1.

61. Policy HOU18 requires that all major residential proposals are to provide a range and mix of dwelling types. This policy applies to flatted schemes which should provide a mix of sizes and tenures. I consider that the scheme provides a good mix of one and two bed units in accordance with Policy HOU18 of the Local Plan and so is acceptable.

(c) The quantum of parking provision and impact of the development on the local highway network

62. Policy TRA3 (a) of the ALP sets out the required parking standards for new residential development within the town centre, suburban and rural locations and Policy TRA3(b) deals with non-residential development (in this case, the office). The Policy permits flexibility in criterion (a) of the exceptions list which states

In exceptional circumstances, proposals may depart from the standards in policies TRA3(a) or TRA3(b) if the following applies:

(a) In order to take account of specific local circumstances that may require a lower level of parking provision, including as a result of the development site's accessibility to public transport, shops and services, highway safety concerns and local on street parking problems.

63. In this case the site is located in a highly sustainable location within the town centre where there is a good level of accessibility to shops and services and a good level of non-car access. In addition the site is located a short walk from the railway station and within walking distance of bus services within the town centre.
64. The proposals would provide for 54 car parking spaces in total, including 2 disabled bays and 3 visitors' spaces. All of the spaces would be located on-site mostly within the undercrofts to Blocks C-E. 7 car parking bays would be allocated to the staff of Ashford School and a further 4 would be allocated for the office use. This would result in 43 parking spaces being retained for residential use. The parking provision would therefore equate to 0.8 spaces per dwelling.
65. Based on parking standards in the Residential Parking SPD and Ashford Local Plan policies TRA3(a) and TRA3(b) the development would require 53 spaces for the apartments together with 11 visitor spaces (0.2 spaces per unit) and 6 spaces for the office use (based on standards of 1 space per 20 square metres). Taking account of the 7 parking spaces allocated to Ashford School there is therefore a shortfall of 23 spaces to be policy compliant.
66. Kent Highways and Transportation (KHS) have been consulted and state that due to this shortfall it is likely that overflow car parking would take place on

surrounding streets unless parking restrictions are put in place to prevent this. A controlled parking scheme (CPZ) was recommended for Mill Court and Miller Close and a double yellow line scheme for the eastern part of East Hill as parking can take place between 6pm and 8am and all day on a Sunday. The Council's Parking Services have subsequently confirmed that a CPZ in this area has previously been explored and at this time it is not considered that a CPZ is required or desired by residents as parking for the Mill Court development is not reliant on on-street parking. It is noted that if as a result of the development, there is an increase in on street parking on the surrounding streets that the Council would need to address this issue. There are no objections from Parking Services for a double yellow line scheme to the eastern part of East Hill. This would be subject to a Traffic Regulation Order which would be secured by Planning Condition if planning permission is granted.

67. Whilst there are 3 on-site visitor parking spaces, policy TRA3 (a) states that visitor parking should be provided primarily off-plot in short-stay car parks where available or on-plot where layout permits. Whilst the development would result in the loss of the Flour Mills car park, the site is located in the town centre where a number of other short stay and long stay car parking options exist, including within the Stour Centre Car Park, the Vicarage Lane Car Park, Henwood Car Park and the Station Road Car Park, some of which are located within a few minutes walking distance of the site.
68. The Design Panel when reviewing the proposals in September 2021 recognised the difficulties in proving a parking standards compliant layout but felt that a more proactive and ambitious approach to car parking could make this a place that makes a virtue and a selling point of a reduction in car usage, and attract those who would want to live a more sustainable life.
69. The applicant has submitted a Residential Travel Plan which includes a number of measures that would be used to encourage residents to travel sustainably - firstly, infrastructure measures such as the provision of cycle parking with every dwelling, in excess of ABC's adopted standards (90 spaces are proposed and one space per unit is required by policy TRA6). Further, in reducing the quantum of parking available it would encourage residents to consider more sustainable modes of transport. Other incentives proposed through the Travel Plan include the provision of discounted bus tickets and cycle vouchers as well as the promotion of a car share scheme.
70. In conclusion, I am satisfied that, subject to securing the implementation of the above Travel Plan, the level of parking provided would be appropriate for this highly sustainable location that is located within easy reach of public parking facilities and I therefore consider that the approach to parking provision is an acceptable one in this case and in accordance with TRA3 (a) and TRA3 (b).

71. Vehicular access to the site would be from the existing access on East Hill via Mace Lane and this arrangement is acceptable to KHS following the removal of the proposed traffic calming measure on East Hill as a result of the completion of a Stage 1 Road Safety Audit. It is KHS's view that the originally proposed traffic calming scheme is not required given that traffic speeds on East Hill are low and likely to be less than the current 30mph speed limit. The traffic calming scheme could have led to an increase in accidents at this location and therefore the removal of this element of the scheme is considered acceptable.
72. Access for pedestrians and cyclists would be improved and provided throughout the site from East Hill, Civic Park and Mace Lane resulting in improved connectivity and permeability. Bridges are also to be provided at regular intervals, connecting the residential area and public open space.
73. In conclusion, the proposal is therefore acceptable in terms of HOU3a of the Local Plan.

(d) The design quality of the scheme and the impact on the visual character of the surrounding area

74. The Government attaches great importance to the design of the built environment, with national policy placing great emphasis on the importance of good design as a key aspect of sustainable development. The requirements outlined in paragraph 130 of the NPPF include the need to add to the overall quality of the area and establish or maintain a strong sense of place. While appropriate innovation and change, such as increased density, is not to be prevented or discouraged, developments must be sympathetic to local character, including the surrounding built environment.
75. Paragraph 126 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is considered to be a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
76. Paragraph 130 states that decisions should ensure development:
 - a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

77. Paragraph 134 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The NPPF calls for significant weight to be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit within the overall form and layout of their surroundings.
78. The National Design Guide (2019) further supports the principles of the NPPF and seeks to illustrate 'how well-designed places that are beautiful, enduring and successful can be achieved in practice'. This sets out ten characteristics of well-designed places.
79. The Council places great weight on quality place making and Policy SP6 (Promoting High Quality Design) of the ALP is relevant and aligns with this national guidance. The policy sets out a number of design criteria to which new development is expected to positively respond.
80. The supporting text to Policy SP6 of the ALP also requires all development proposals to reflect their local context, and where the built environment is of decent quality, new proposals should be sensitive in terms of scale, height, layout and massing to surrounding buildings.
81. The proposals have been subject to pre-application advice and have been presented to the Ashford Design Review Panel and as a result has seen greater consideration given to the historic significance of the mill building to inform the design proposals and a scaling back of the development in terms of its height and bulk. The site has also been enlarged to include the southern end of the car park, which has allowed the development to be 'stretched' across a larger site, introducing wider spaces between blocks.
82. I consider that the proposed layout has been carefully considered to respond to the site's unique and specific constraints and opportunities.

83. The site and its immediate surroundings are an important part of Ashford. The Pledges Flour Mill building whilst unlisted, is prominent and holds significant historical interest. As such, new development must not dominate the mill building, nor have an adverse impact on the adjacent Conservation Area and relate appropriately to the river.
84. The proposed spaces between the buildings would create a network and hierarchy of public open spaces, each with a different character and use and would improve the sites permeability to the surrounding network of streets and spaces including the river-side. The linkages between East Hill and the River walk through the development are particularly welcomed. It would provide an attractive route, connecting the town with the river.
85. The buildings are designed to provide natural surveillance of all of the external open spaces in line with good urban design practice.
86. Whilst the design approach is contemporary, it seeks to reflect and reference the industrial character and past of the site. The proposals feature relatively simple forms articulated with brick textures, metal cladding and contemporary proportions with a nod to the traditional and a simple but varied palette of high quality materials. No blocks are proposed to be the same but the materials and design features are coherent with one another helping to tie the scheme together.
87. I acknowledge that the proposals would result in new contemporary urban architecture that would be juxtaposed alongside the traditional built form. In my view, this would only serve to give this part of Ashford its own distinct character, aiding legibility and visual interest for residents and visitors alike and so I support this approach. It would add variety and interest to the townscape in which it would sit and is appropriate to the uses proposed.
88. The buildings would be well detailed and include subtle variations in the building line and elevational articulation such as setbacks, cantilevers, projecting brick detailing, which along with quality materials will help ensure a visually rich architectural appearance and an overall high quality design.
89. Whilst a number of reservations have been expressed by local residents concerning the architectural style, I consider that the proposed design approach is acceptable as it would provide articulated and active facades and balanced and well-proportioned elevations. In addition, the proposals are to be constructed in practical, durable, affordable and attractive materials, which draw on the local tradition of building in brick.
90. The finer details of the scheme such as joinery, doors, rainwater goods, eaves, fascia and entrance canopies etc. can be the subject of a planning condition to ensure that what is constructed delivers on that which is shown on the application drawings.
91. The residential use levels of the blocks would be raised above existing ground levels due to the potential for flooding, supported above a series of under

crofts. These areas are proposed to provide car parking and cycle stores and these more functional areas will be partly screened by new landscaped areas and feature brick hit and miss walls and perforated metal cladding. Whilst flood mitigation is discussed in subsequent parts of this report, some re-profiling of the areas nearest to the river is proposed and is intended to help provide increased flood storage. I have no objections to this in visual or landscape impact terms.

92. Significant landscape improvements are proposed throughout the site including the riverside walk and the Island part of the site that is currently inaccessible and overgrown. This would open up these areas for public access with the provision of new seating and viewing areas accessed from the footpath and across bridging structures within the site.
93. The landscape hard materials and soft landscape specification are high quality and appropriate for this prominent location, and would in my view be complimentary to the buildings, supporting the overall design.
94. In conclusion, I consider that the proposals accord with the objectives of Policy SP6 of the Local Plan by providing high quality design of high sustainability standards. The proposed design would enable Ashford to grow as envisaged and supply much needed housing. The proposals are substantial and would deliver the opportunity of regenerating the site. The proposals would result in this part of the town centre changing and, to this end, I do understand the concerns expressed by some residents. However, I am satisfied that the design is well considered in terms of its scale and design, can be accommodated on the site in a way that creates attractive public open spaces within which the proposed blocks would sit and so I consider that what is proposed would be a positive addition to the town. Accordingly, I conclude that the proposal would accord with HOU3a (a), SP1 and ENV3a of the Local Plan.

(e) Impact on heritage assets, the setting of Listed buildings and the Conservation Area.

95. Part of the application site lies within Ashford Town Centre Conservation Area and the Planning (Listed Buildings and Conservation Areas) Act 1990 is therefore relevant. There are also listed buildings adjacent to the site, the closest of which is the Star Inn.
96. Primary legislation under Section 66 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or Secretary of State, as relevant, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.
97. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act

1990 sets out the general duties of Local Planning Authorities in regards to the protection of Conservation Areas. Section 72 states “In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

98. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
99. Paragraph 200 of the NPPF sets out that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. It also states that 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, where appropriate, securing its optimum viable use.
100. The site’s main contribution to the Conservation Area is derived from the tower’s townscape value and the site’s association with historic milling, rather than the heritage significance of the mill building itself which has many modern unsympathetic additions.
101. The development proposals are centred on the conversion and reuse of the existing mill building which has fallen into disrepair since it was last used as a nightclub. Four additional blocks are proposed which would reduce in height from north to south. The proposed design has been developed with close consideration of the surrounding heritage assets which is something that the Design Review Panel commended as being “high-quality historical analysis (that) has informed the approach in a positive way”.
102. The four new blocks would not block locally significant views of the former Flour Mill’s tower from the top of East Hill, or from Civic Park (south of the tower). Furthermore, features of heritage interest identified in the Ashford Town Centre Conservation Area Appraisal, namely the sluice gates, which relate the history of the site, will be retained.
103. The proposed new buildings are also in keeping with the character of the Conservation Area, as there is a historic precedent both for greater massing on the site and in its immediate surroundings. The proposed development would therefore reintroduce some of the historic urban grain by strengthening the frontage to East Hill and introducing subservient development across the

site, which is a contemporary interpretation of its historic character and that of the immediate surroundings.

104. Whilst drawing on the language of the former industrial buildings on the site, the new additions would be contemporary interpretations, avoiding architectural pastiche. For example, Block B (adjacent to the mill building), would be constructed above the retained walls of the warehouse and be clad in metal, giving it an industrial feel, whilst also providing a contemporary contrast to - and maintaining the prominence of, the historic fabric below.
105. Further, by maintaining the tower, its signage bearing its historic function/Pledge's name and drawing the design language from the historic character of the site, the proposed development would both maintain and celebrate the townscape contribution of the tower and the historic association of the site with historic milling in the area. I am therefore satisfied that the significance of the Flour Mill as a heritage asset has been considered and reflected in the proposals.
106. I also consider that the new buildings would be positive additions, which would enhance the character and appearance of Ashford Town Centre Conservation Area, as well as the settings of nearby designated heritage assets by removing detracting features and strengthening the East Hill frontage.
107. In light of the above, I am satisfied that overall the proposals comprise a well thought out response to the site, and will enhance its significance, the character and appearance of Ashford Town Centre Conservation Area, and the settings of the designated heritage assets nearby. As a result I am satisfied that the development would result in less than substantial harm to the significance of the designated heritage assets and the Conservation Area, further public benefits would arise through the long term conservation of the former mill for the enjoyment of future generations in accordance with paragraph 202 of the NPPF.
108. I have considered the proposals in the light of Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, relating to the settings of listed buildings and Conservation Areas. The proposals response to both the non-designated heritage assets on the site, as well as the Conservation Area, is also considered to be in line with guidance set out in the NPPF, which encourages new, sympathetic development within Conservation Areas. In addition, by bringing redundant buildings and areas into appropriate use, consistent with their conservation, and ensuring that important views of the flour mill's tower are not impacted, the proposals would in my view comply with Ashford Local Plan policies Policy ENV13 and ENV14.

(f) Impact of the Development upon the Green Corridor

109. The site is located within the Ashford Green Corridor - within area A1 of the Green Corridor Action Plan (Civic and Stour Centre and North and South Parks). It is described as a key movement area. The area is at the centre of the town and the green corridor itself and is an important part of the movement network, where many footpaths and cycle paths link to other areas of the town, the station, the surrounding schools and the recreation and play areas in and around the Stour Centre.
110. The Green Corridor Action Plan does not propose any key projects or enhancement works specifically related to the site although areas around the river within Civic Park are identified for habitat enhancement.
111. Policy ENV2 of the Local Plan relates to the Green Corridor which has been a central element to Ashford's planning strategy and approach to green infrastructure for many years. Land within the Green Corridor is to provide a connected network of largely green open areas that are predominantly located along main watercourses in Ashford. The areas are generally undeveloped and form part of the floodplain. It is intended that they provide an area for recreation, visually provide a break in the built-up areas and offer an important habitat for biodiversity.
112. Policy ENV2 does not preclude development within the Green Corridor but allows for development that is '*compatible*' or that provides '*overriding benefits*' where '*it can be demonstrated that the proposal would not harm the overall environment, biodiversity, visual amenity, movement networks or functioning of the Green Corridor*'.
113. Importantly the wording of ENV2 also makes it clear that exceptions to such restrictions include for the redevelopment of a suitable brownfield site (criterion (a)), or delivers over-riding benefits (criterion (b))
114. The proposal here does relate to the redevelopment of a suitable existing previously developed site that is not an allocated site. Further, the principle of office space is also acceptable in principle in this location in accordance with SP3 (c) and EMP1. The proposal would also deliver new accessible landscaped areas, enhancing the quality of the Green Corridor in this location by opening up areas that are currently of poor quality with no public access. This compares favourably to the current situation. The development would also secure further benefits, including biodiversity enhancements alongside improvements in drainage and public access to open space and river accessibility. In design terms, the reuse of this vacant brownfield site and the potential for the enhancement of the sites contribution to the visual amenity of the Green Corridor are further benefits of the scheme.
115. I consider that the applicants approach would appropriately mitigate the development and provide real benefits, in accordance with policy ENV2 of the Local Plan.

(g) Whether the amount of open space / amenity space is adequate to serve the development

116. The Council's Public Green Spaces and Water Environment SPD establishes the quantitative, qualitative and accessibility standards of green space and water environment provision to be applied in new developments. In doing so, one of its objectives is also to provide an appropriate balance between the provision of new open spaces on and off-site, and the enhancement, where appropriate, of existing open spaces and services so the needs and aspirations of local communities are met.
117. The SPD requires that for a proposal of this size, informal/natural open space would be provided off site. Further, off site provision is required for indoor and outdoor sport, strategic parks, play and allotments. As such, financial contributions are proposed for informal/natural open space, sport facilities provision (indoor and outdoor), play, allotments and strategic parks off-site.
118. In conclusion, I consider that the proposed financial contribution for off-site provision is acceptable and would be in accordance with policies HOU3a (f) COM1, COM2 and COM3 of the Local Plan and the requirements set out within the Public Green Spaces and Water Environment SPD.

(h) The Impact of the Development on Residential Amenity

119. All dwellings would comply with the Nationally Described Space Standards set out in Policy HOU12 and the Council's Residential Space and Layout SPD. Most dwellings would also provide private external open space in the form of projecting or recessed balconies in accordance with Policy HOU15 of the ALP. Given that part of the redevelopment includes the conversion of the mill it would not be appropriate to include balconies on this building. All units would benefit from good levels of outlook. The introduction of duplex apartments is also supported as it creates a distinct character and a different kind of space.
120. Block A would include a ground level 'super-lounge' for residents to meet, work and foster community. Block A would also include a residents café. It is also proposed to include a gym in Block C that would be accessible to residents across the development. In my view, the internal layout would provide good quality town centre living arrangements for future residents.
121. There are no residential or other sensitive land uses within close proximity to the application site and its redevelopment would not result in any significant adverse impacts on the amenities of the users of surrounding buildings. I am therefore satisfied that the proposals would safeguard and promote a high standard of amenity for future users of the development in accordance with paragraph 130 of the NPPF.

(i) Whether the proposal is acceptable in terms of flooding and surface water drainage

122. The site is located with Flood Zone 3a and 3b and therefore under paragraph 158 of the National Planning Policy Framework (NPPF) and policy ENV6 of the adopted Ashford Local Plan 2030, a sequential and exception test is required.
123. The purpose of the flood risk sequential and exception test is to provide the evidence to show that the application site satisfies the sequential test and exception test and demonstrate that any development would contribute to an overall flood risk reduction. Development will only be permitted therefore, where it would not be at an unacceptable risk of flooding itself and there would be no increase to flood risk elsewhere.
124. The applicant has submitted a Flood Risk Assessment in support of the application which is summarised in a preceding section of this report.
125. The NPPF and policy ENV6 of the Local Plan make it clear that any development within Flood Zone 3a must demonstrate an overall flood risk reduction and meet the exception and sequential tests in order for a development to be considered acceptable.
126. A key requirement of the sequential test is that sites tested as alternatives should be both reasonably available and appropriate for the proposed development. The exception test concerns wider sustainability benefits that outweigh the flood risk and ensure that development is safe for its lifetime.
127. The extent of the sequential test is concentrated on the town centre. The scoping exercise included a number of different sites. To be considered 'eligible' the sites need to be suitable, of a similar size and in a lower or same flood zone. Sites should also be available now or reasonably available in the future.
128. The 'sequential test' concludes that all of these alternative sites were either unsuitable for the development proposed, were unavailable, and would not provide for a similar scale of development. I am satisfied that the sequential test requirement has been met in accordance with policy ENV6 and the requirements of the NPPF.
129. Moving to the 'exception test', it is required that wider community benefits are demonstrated that outweigh any flood risks. The applicant has summarised these benefits as follows:
 - the provision of new housing comprising of 53 residential dwellings in a managed flatted scheme within a highly sustainable location within Ashford Town Centre, atop the settlement hierarchy for the Borough;

- the development of a highly sustainable site with very good access to facilities and services, given the site's location within the designated Town Centre for Ashford;
 - the high quality redevelopment of an existing non-designated heritage asset within a designated Conservation Area;
 - the creation of new open space for public use within a designated Green Corridor, improving and enhancing a currently inaccessible and overgrown area of this corridor;
 - contributions to the protection and enhancement of the natural environment through:
 - enhancement of the existing green infrastructure and linkages on site, provide valuable wildlife habitats and corridors;
 - through detailed flood risk and drainage assessment and mitigation, offer opportunities to improve natural drainage system
 - a range of economic benefits through local construction jobs that would be created during the construction phase of the development;
 - job creation through the provision of an on-site office to be occupied by Oliver Davis Homes as its headquarters;
 - that future residents would contribute to the economic prosperity of the area through additional expenditure in local shops and services; and
 - any contributions to be secured by legal agreement for wider community infrastructure.
130. The applicant also identifies that the scheme includes several flood mitigation measures intended to ensure that the site is safe for its lifetime as required by the exception test.
131. The Environment Agency raise no objection to the development. The EA is also satisfied that the applicant has demonstrated that the off-site flood risk would not be exacerbated through the development of the site.
132. The Environment Agency recommends the attachment of a number of planning conditions to any permission, subject to this I am satisfied that the

requirements of the NPPF are met in terms of flooding along with the requirements of policy ENV6.

133. In terms of surface water drainage, the applicant proposes a SuDS scheme. KCC who are the Lead Local Flood Authority raise no objections subject to conditions stating that the drainage strategy shows that the surface water runoff discharges to the adjacent rivers at a rate of 1l/s from two flow control chambers restricting the discharge from attenuated permeable paving.
134. In light of the above, subject to a condition requiring the submission of a detailed drainage and SuDS strategy, including a management schedule and a verification report, I am satisfied that surface water drainage can be appropriately dealt with in accordance with the requirements of policy ENV9.

(j) Ecology;

135. The application includes proposed mitigation in terms of habitats, ecological features and associated fauna identified within and adjacent to the site. It also includes enhancement measures consistent with the objectives in the Green Corridor Action Plan.
136. The 'Great Stour, Ashford to Fordwich' Local Wildlife Site (LWS) runs adjacent to the site (the river), which is also a priority habitat under the S41 of the NERC Act 2006. The submitted documents state that best practice pollution guidelines will be implemented into a Construction Environmental Management Plan (CEMP) to negate adverse impacts to the LWS during the construction. KCC Ecological Advice is that a CEMP is conditioned with any granted planning permission.
137. The bat emergence surveys found a day roost for low numbers of Common Pipistrelle bats within the main building on-site. As all bats and their roosts are strictly protected, and because the building will be demolished, mitigation measures will need to be implemented under licence from Natural England.
138. To maintain the favourable conservation status of bats, mitigation measures have been proposed. Given the low importance of the roost, the report has highlighted two main measures which must be undertaken:
- Provision of bat roost boxes nearby, prior to the start of works, to ensure roost continuity.
 - Demolition/dismantling will be supervised by a licensed bat worker.
139. KCC Ecology in their consultation response have advised that they are satisfied with these measures but suggest that their implementation is secured via a condition.
140. Conditions are also suggested in relation to lighting and biodiversity

enhancements of which full details would be secured.

141. In light of the above I am satisfied that the development would not result in harm to protected species and their habitats and, that the measures proposed would be consistent with the objectives for the Green Corridor. As a result, the proposals are considered to be consistent and in accordance with policies ENV1 and ENV2.

Other Issues

Sustainability and renewables

142. The applicants response to climate change and sustainability is set out within the submitted sustainability strategy (see annex 1 of this planning committee report). A number of measures aimed at reducing the impact of climate change are proposed as follows:

- High thermal performance
- Passive solar shading
- Water package heat pump – generates 55 degree C heating and hot water
- PV arrays to east, south and west orientations,
- EV charging (50% active and 50% passive).
- PIR controlled LED lighting to car parking areas and external area elevations
- Ecological enhancements

143. I consider that the measures proposed would make a valuable contribution to reducing greenhouse gas emissions and as such are welcomed.

Archaeology

144. The site lies within the valley of the East Stour River and as such as there is potential for Early Prehistoric, Bronze Age and Iron Age remains. The location within the valley suggests there may be rare palaeoenvironmental remains associated with activity increasing the potential significance of any cultural remains and structures. There is some evidence of Roman activity here and Ashford may have been an Early Medieval settlement. It developed as a Medieval market town and post medieval settlement. The 1st Ed OS map suggests the site was originally part of a corn mill complex with water management systems and associated structures and buildings. By the late 19th century the mill had become a more industrialised flour mill with associated water management features and associated buildings.
145. There is considerable potential for this site to contain multi-period remains, including possible Medieval mill remains. The mill complex has been redeveloped several times but there may still survive good evidence of its historic development and its origins.

146. KCC Heritage have been consulted and have suggested pre commencement conditions relating to archaeology. These conditions, which are acceptable to the applicant, would require extensive archaeological field evaluation and specifically building survey and assessment work to ensure the preservation in situ of any building remains.
147. I am satisfied that archaeology matters can be appropriately mitigated with in accordance with policy ENV15.

Refuse

148. Sufficient communal refuse and recycling storage has been incorporated into the scheme. The storage areas are easily accessible from the building cores and within a 10 metre pull distance for operatives. Tracking plans of refuse vehicle movements have been submitted to demonstrate that the layout of the development works.
149. Notwithstanding the above, no details of the design of the bin collection area has been submitted. I recommend that these and fine details (to ensure good practice in relation to general waste, food waste and recycling, including details of internal signage and any other related proposals to achieve such practice and help avoid cross-contamination) are secured by an appropriate condition.

Five Year Housing Land Supply

150. The Council's latest Housing Land supply position 'Five Year Housing Land Supply Update July 2021' was published in November 2021 and covered the period from 2021 to 2026^[1]. The statement concludes that the Council can demonstrate 4.54 years' supply of land for housing.
151. However, an Inspector recently published an appeal decision, (reference APP/E2205/W/21/3284479 - Land between Woodchurch Road and Appledore Road, Tenterden, Kent, TN30 7AY) which challenges the Council's assumptions. The appeal decision referred to as the 'Wates' appeal is dated 30 March 2022^[2].
152. The appeal decision suggests that the Council is only able to demonstrate a 5-year housing land supply position of 3.5 years.
153. It is the Council's view that there are a number of issues associated with this appeal. These issues primarily relate to the assumptions made by the Inspector about the delivery of sites located in areas of the Borough that fall

^[1] Five Year Housing Land Supply Position Statement [Five Year Housing Land Supply Update 2021-2026 \(ashford.gov.uk\)](https://planning.ashford.gov.uk/Planning/IDOX/default.aspx?docid=2065991)

^[2] Appeal decision reference APP/E2205/W/21/3284479
<https://planning.ashford.gov.uk/Planning/IDOX/default.aspx?docid=2065991>

within the Stour Catchment (where Natural England's Nutrient Neutrality Advice^[3] applies). The Council also note that the Inspector does not appear to have taken into account a recent letter from the Chief Planning Officer (dated 16 March 2022) which clearly elevates the nutrient issue and recognises that in affected areas "*there may be implications for the Housing Delivery Test and 5 Year Housing Land Supply*". This letter was written before the Wates Inspector made his decision.

154. Unless a legal challenge to the 'Wates' appeal decision is successful in the Courts then it is accepted that the figure of 4.54 is not the starting point in relation to the application of the 'tilted balance' that is engaged through paragraph 11(d) of the NPPF. Paragraph 11(d) of the NPPF states:

"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

155. However, paragraph 11(d) criterion (i) is subject to *footnote 7* of the NPPF. *Footnote 7* lists the policies in the NPPF that protect areas or assets of particular importance. The policies referred to include those in the Framework relating to habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest.

156. For the reasons specified, it is the Council's position that, for the purposes of determining this application, *footnote 7* is clearly applicable, and thus would disengage the 'tilted balance' towards the grant of planning permission where a 5 year housing land supply cannot be demonstrated contained within paragraph 11 (d). However, as planning permission will only be granted if a favourable Appropriate Assessment is in place, the tilted balance would be academic and would not be relevant to the decision. It would only be relevant if the application were to be refused on other grounds but with the nutrient neutrality issue satisfactorily addressed.

157. In this particular case, I consider that the application is consistent with the Development Plan but the position on 5 year housing land supply only serves to reinforce my Recommendation further below.

^[3] Natural England Nutrient Neutrality Advice <https://www.ashford.gov.uk/media/0jabvost/ne-march-2022-letter-water-quality-and-nutrient-neutrality-advice.pdf>

Habitats Regulations

158. The Council has received advice from Natural England (NE) regarding the water quality at the nationally and internationally designated wildlife habitat at Stodmarsh lakes, east of Canterbury, which in particular includes a Special Area of Conservation (SAC), a Special Protection Area for Birds (SPA) and a Ramsar Site.
159. The importance of this advice is that the application site falls within the Stour catchment area and the effect is that this proposal must prima facie now be considered to have a potentially significant adverse impact on the integrity of the Stodmarsh lakes, and therefore an Appropriate Assessment (AA) under the Habitats Regulations 2017 (as amended) would need to be undertaken and suitable mitigation identified to achieve 'nutrient neutrality' as explained in NE's advice, in order for the Council to lawfully grant planning permission. This is consistent with the KCC Ecological Advice Services request.
160. Under the Council's Constitution, the Head of Planning and Development already has delegated authority to exercise all functions of the Council under the Habitats Regulations. This includes preparing or considering a draft AA, consulting NE upon it, and amending and/or adopting it after taking into account NE's views.
161. As matters stand, it is very likely that an off-site package of mitigation measures will be required in order for the development proposal to achieve 'nutrient neutral' status and in the absence of such measures (or any others) having been identified and demonstrated to be deliverable, it is not possible to conclude, at this moment in time, that the scheme would be acceptable in respect of this issue.
162. However, work commissioned by the Council has commenced on identification of a package of strategic mitigation measures that should enable relevant developments within the Borough's River Stour catchment (where the NE advice applies) to come forward on a 'nutrient neutral' basis, subject to appropriate obligations and conditions to secure the funding and delivery of the mitigation before occupancy of the development.
163. Therefore, on the basis that this proposal is considered to be otherwise acceptable in planning terms (subject to planning conditions), I recommend that a resolution to approve this planning application should also be subject to the adoption by the Head of Planning and Development (having consulted NE) of a suitable Appropriate Assessment to address the Habitats Regulations, to the effect that the proposed development will not adversely affect the integrity of the SAC, SPA and Ramsar Site (by achieving nutrient neutrality), and to secure any necessary additional obligation(s) pursuant to a s.106 obligation and/or planning conditions that are necessary in order to

reach that Assessment and ensure that at the time of occupancy the necessary mitigation is in place. This is included as part of my Recommendation (B) detailed further below.

Planning Obligations

164. 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
165. I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. KCC have made a number of requests for S106 money, however the Council are currently reviewing these requests to make sure they are aligned with Regulations and that the evidence is available to justify the amounts. Until that has been determined, the Council continue to rely on the pre 2020 requests from KCC as those are judged to be robust and based on evidence that was in the public domain
166. I have assessed the planning obligations in Table 1 against Regulation 122 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

Heads of Terms for Section 106 Agreement/Undertaking

Obligation No.	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts (s)	Trigger Points (s)	
Ashford Borough Council Planning Obligations				
1.	<p><u>Accessible and Adaptable Dwellings</u></p> <p>In accordance with Policy HOU14:</p> <p>At least 20% [total of 9 dwellings] of all new-build homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p>	20% across the new-build parts of the site.	All accessible and adaptable homes to be constructed before the occupation of any dwellings.	<p>Necessary as providing a mix and type of housing required to meet identified needs in accordance with Policy HOU14 of Local Plan 2030 and guidance in the NPPF.</p> <p>Directly related as the accessible/adaptable housing would be provided on-site.</p> <p>Fairly and reasonably related in scale and kind as based on a proportion of the total number of housing units to be provided.</p>
2.	<p><u>Allotments</u></p> <p>Project detail (off site):</p>			<p>Necessary as allotments are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, IMP1 and COM3 Public</p>

	<p>Capital contribution towards allotments and/or community garden within 1km of the development site, to provide a qualitative improvement, and/or quantitative improvement with provision of new allotments within the borough.</p>	<p><u>Off site:</u></p> <p>£258.00 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p> <p><u>Indexation:</u> BCIS General Building Cost index 2012</p>	<p><i>Upon occupation of 75% of the dwellings</i></p>	<p>Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use allotments 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>
<p>3.</p>	<p><u>Art and Creative Industries</u></p> <p>Project detail:</p> <p>Contribution towards provision within the town centre, including Revelation St Mary's Arts Trust and town centre events, with delivery which targets new residents in the development.</p> <p><i>The Local Plan identifies the following facilities strategic art spaces: Revelation at St</i></p>	<p>£338.40 per dwelling for capital costs</p> <p><u>Indexation:</u> BCIS General Building Cost index 2019</p>	<p>Upon occupation of 75% of the dwellings.</p>	<p>Necessary in order to achieve an acceptable level and quality of provision for art and creative industries, pursuant to Local Plan Policies SP1, IMP1, COM1 and guidance in the NPPF, the Ashford Borough Public Art Strategy and the Kent Design Guide.</p> <p>Directly related as occupiers will use arts and creative industry facilities, 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.</p>

	<i>Mary's, Rehearsal and Production Centre, Making and exhibiting workspaces, Arts use in community hubs.</i>			
4.	<p><u>Children and Young People's Play Space</u></p> <p>Project detail (off site):</p> <p>When funding is available the investment will be towards a site in response to the Open Space Strategy and audit results, where a public open space is requiring improvement and/or where a gap in provision is identified. As a geographical location, within 600m of the site. The potential project will be towards provision and improvements at Queen Mothers Park and/or Stour Centre play space</p>	<p><u>Off site:</u></p> <p>£649.00 per dwelling for capital costs</p> <p>£663.00 per dwelling for maintenance</p> <p><u>Indexation:</u> BCIS General Building Cost index 2012</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 Local Plan 2030 Policies SP1, IMP1 and COM2 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>
5.	<p><u>Indoor Sports Provision</u></p> <p>Project detail (off site):</p>	<p><u>Off site:</u></p>	<p>Upon occupation of 75% of the dwellings.</p>	<p>Necessary as additional indoor sports facilities are required to meet the demand that would be generated and must be maintained in order to continue to meet that</p>

	<p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>£543.81 per dwelling for capital costs</p> <p>(capital only – contributions are derived from the latest Sport England Calculator).</p> <p><u>Indexation:</u> BCIS General Building Cost index 2019</p>		<p>demand pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 and guidance in the NPPF.</p> <p>Directly related as occupiers will use indoor sports provision and the buildings 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</p>
<p>6.</p>	<p><u>Informal Natural Green Space</u></p> <p>Project detail (off site):</p> <p>When funding is available the investment will be towards a site in response to the Open Space Strategy and audit results, where a public open space is requiring improvement and/or where a gap in provision is identified. As a geographical location,</p>	<p><u>Off site:</u></p> <p>£362.00per dwelling for capital costs</p> <p>£325.00 per dwelling for maintenance</p> <p>Indexation: BCIS General</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 Local Plan 2030 Policies SP1, IMP1 and COM2 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</p>

	within 600m of the site. The potential project will be towards improvements at Civic Park and/or Queen Mothers Park.	Building Cost index 2012		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.
7.	<p><u>Outdoor Sports Provision</u></p> <p>Project detail (off site):</p> <p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p><u>Off site:</u></p> <p>£873.47 per dwelling for capital costs</p> <p>£519.59 per dwelling for maintenance</p> <p><i>(For capital contributions - calculations are derived from the latest Sports England Calculator)</i></p> <p><u>Indexation:</u> BCIS General Building Cost index 2019</p>	Upon occupation of 75% of the dwellings.	<p>Necessary: as outdoor sports pitches are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 and guidance in the NPPF.</p> <p>Directly related: as occupiers will use sports pitches and the facilities to be provided would be available to them.</p> <p>Fair 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>

<p>8.</p>	<p><u>Strategic Parks</u></p> <p>Project detail:</p> <p>Contribution to be targeted towards quantitative and qualitative improvements at the strategic parks within the 'Hubs' identified in the Local Plan 2030.</p>	<p>£146.00 per dwelling for capital costs</p> <p>£47.00 per dwelling for maintenance</p> <p><u>Indexation:</u> BCIS General Building Cost index 2012</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 Local Plan 2030 Policies SP1, IMP1 and COM2, Public Green Spaces and 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>
<p>9.</p>	<p><u>Voluntary Sector</u></p> <p>Project detail:</p> <p>Contribution towards volunteering in Ashford town centre, which relates to the Ashford Volunteer Centre and the new residents in the development</p>	<p>£87 per dwelling</p> <p><u>Indexation:</u> BCIS General Building Cost index 2019</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 Local Plan 2030 Policies SP1, IMP1 and COM1 KCC document 'Creating Quality places' 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</p>

				and kind considering the extent of the development.
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Kent County Council Planning Obligations				
10.	<p><u>Adult Social Care</u></p> <p>Project detail:</p> <p>Towards Specialist care accommodation, assistive technology systems, adapting Community facilities, sensory facilities, and Changing Places within the Borough</p>	<p>£47.06 per dwelling</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary as enhanced facilities and assistive technology required to meet the demand that would be generated pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p>Directly related as occupiers will use community facilities and assistive technology services and the facilities and 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 and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>
11.	<p><u>Community Learning</u></p> <p>Project detail:</p> <p>Towards additional resources and equipment at Ashford AEC</p>	<p>£16.42 per dwelling</p> <p><u>Indexation:</u> BCIS General</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on</p>	<p>Necessary as enhanced services required to meet the demand that would be generated and pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p>

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	for the additional learners from development	Building Cost Index from Oct 2016	occupation of 50% of the dwellings	<p>Directly related as occupiers will use community learning services and the facilities 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 the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>
12.	<p><u>Education Land</u></p> <p>Project detail:</p> <p>Towards the new Conningbrook Park Primary land acquisition</p>	<p>£590.98 per applicable flat (x29)</p> <p><u>Indexation:</u></p> <p>BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary to increase capacity pursuant to, Local Plan 2030 Policies SP1, IMP1, COM1 Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number pupil places and is based on the</p>

				number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly
13.	<p><u>Libraries</u></p> <p>Project detail:</p> <p>Towards additional resources, services and bookstock for Ashford library for the new borrowers generated by this development</p>	<p>£48.02 per dwelling</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.</p>	<p>Necessary as more books required to meet the demand generated and pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 KCC's 'Development and Infrastructure – Creating Quality Places' 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>
14.	<p><u>Primary Schools</u></p> <p>Project detail:</p> <p>Towards the new Conningbrook Park Primary School</p>	<p>£1134.00 per flat (x29) flats.</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary as there is no spare capacity at any primary school in the vicinity and pursuant to, Local Plan 2030 Policies SP1, IMP1, COM1 KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend primary school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the</p>

				development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.
15.	<p><u>Secondary Schools</u></p> <p>Project detail</p> <p>Towards the provision of new secondary school places in the Borough</p>	<p>£ 1172.00 per flat (x 29 applicable flats)</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary as no spare capacity at any secondary school in the vicinity and pursuant to, Local Plan 2030 Policies SP1, IMP1, COM1 Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend secondary school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of secondary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.</p>
16.	<p><u>Youth Services</u></p> <p>Project detail:</p>			<p>Necessary as enhanced youth services needed to meet the demand that would be generated and pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 KCC document</p>

	Towards additional resources for the Youth service in Ashford	£27.91 per dwelling <u>Indexation:</u> BCIS General Building Cost Index from Oct 2016	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.	'Creating Quality places' and guidance in the NPPF. Directly related as occupiers will use youth services and the services to be funded will be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.
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Other Obligations				
17.	<u>Health Care (NHS)</u> Project detail: Towards refurbishment reconfiguration and/or extension of Sydenham House Medical Centre and/or Hollington Surgery and/or Wye Surgery and/or towards new general practice	£32,976 in total <u>Indexation:</u> Indexation applied from the date of the resolution to grant	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.	Necessary to increase capacity to meet the demand that would be generated by the development pursuant to Local Plan 2030 Policies SP1, IMP1, COM1 and guidance in the NPPF. Directly related as occupiers will use healthcare facilities and the facilities to be funded will be available to them. Fairly and reasonably related in scale and

	premises development in the area	permission.		kind considering the extent of the development and because the amount has been calculated based on the estimated number of occupiers.
Site Specific Obligations				
18.	<p><u>Safeguarding pedestrian and cycle routes from Civic Park through to East Hill and Mace Lane</u></p> <p>Permissive public access to be provided to these areas</p>		Timetable for permissive access to be agreed relating to agreed phasing of the scheme elements and thereafter implemented in accordance with that timetable and thereafter retained in perpetuity.	<p>Necessary as the space is required to properly connect the development and the non-residential employment therein with the surrounding neighbourhood in accordance with SP1 and SP6 of the ALP 2030.</p> <p>Directly related as people will need to move without hindrance through the space irrespective of governance as constituent parts of a well-designed mixed use redevelopment.</p> <p>Fairly and reasonably related in scale and kind considering that the space is proposed by the applicant as public realm connecting the development with its surroundings.</p>
19.	<p><u>Travel Plan</u></p> <p>Project:</p> <p>Provision of cycle vouchers, car share scheme, discounted bus tickets for scheme residents</p>	Prior to first residential occupation		<p>Necessary pursuant to policy SP1 of the Ashford Local Plan 2030 and related policies and to support measures in the required Travel Plan required to achieve a shift in travel behaviour and dovetailing with the approach to the quantum of on-site parking able to be achieved.</p> <p>Directly related as the discounts will be available to occupiers.</p>

				<p>Fairly and reasonably related in scale and kind considering the scale of the development as proposed and the approach to the provision of on-site car parking balancing quantum able to be achieved on-site with good place-making, heritage constraints and proximity to other forms of transportation other than the car.</p>
Monitoring				
20.	<p><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring and reporting compliance with the agreement or undertaking</p>	<p>£1000 per annum until development is completed</p> <p><u>Indexation:</u> Indexation applied from the date of the resolution to grant permission.</p>	<p>First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)</p>	<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>

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 and Kent County Council's legal costs in connection with the deed must be paid.

PLEASE NOTE:

- **If an acceptable deed is not completed within 12 months of the committee's resolution, the application may be reported**

back to Planning Committee and subsequently refused.

- **Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change**

Human Rights Issues

167. 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

168. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

Conclusion

169. The site is not allocated for development in the adopted development plan.
170. The proposal is one that I consider would comply with the criteria set out in policy HOU3a of the Local Plan.
171. Affordable housing is not required for flatted development located within the town centre area as set out in policy HOU1. The development would provide a suitable mix of 1 and 2 bed units in line with Policy HOU18.
172. Other material considerations include the benefits associated with the scheme which include its ability to help to boost the supply of housing in accordance with the NPPF and its sustainable location. Other recognised social and economic benefits include enhancing the vitality of Ashford urban area, its ability to promote personal wellbeing and social cohesion as a consequence; its potential to increase demand for existing services thus maintaining and/or enhancing their vitality, generation of job opportunities, both onsite and during the construction process, and other economic benefits arising from purchasing goods and utilising services and facilities in the immediate and wider locality.
173. Sustainability measures are proposed within the scheme such as PV panels, EV charging points for electric vehicles, a water package heat pump, solar shading and PIR controlled LED lighting. This is in accordance with policies ENV10 and ENV12. The site is also highly sustainably located with good access to a range of sustainable transport modes.

174. There would be no material harm to neighbouring or future occupier's amenities. The development would comply with policies SP1 and HOU3a (b) and (g) in this respect.
175. Ecological mitigation and enhancements are considered to be acceptable, the development would also include the planting of new trees and areas of mixed native and ornamental planting, further aiding biodiversity and placemaking. Appropriate Green Corridor mitigation is proposed. The development would comply with policies HOU3a (d), ENV1 and ENV2.
176. In terms of flooding, drainage and contamination, I am satisfied that subject to conditions, the site can be developed in an acceptable way and would not increase flood risk. The development also satisfies the sequential and exception tests. I am therefore satisfied that the proposal accords with policies ENV6 and ENV9.
177. Additional traffic movements can be accommodated within the existing the network. The access and egress to the site is considered to be safe in relation to highway safety and as a result the development would not materially increase the risk of road traffic accidents or significant traffic delays. Pedestrian and cycleway enhancements from Civic Park to East Hill are also proposed. Acceptable car parking would be provided within the site given the town centre location and measures are proposed to prevent inappropriate overspill car parking on neighbouring streets. The development would comply with policies HOU3a (d), (g) and TRA3a.
178. The proposals would provide a unique and high quality design that responds to the site and delivers a contemporary form of architecture which will add to the character and appearance of the area. The development would not be harmful to visual amenity. The development would comply with policies HOU3a (a) and SP1. In addition, the development would cause less than substantial harm to the significance of the designated heritage assets and would enhance the character and appearance of Ashford Town Centre Conservation Area, by removing detracting features and strengthening the East Hill frontage.
179. Contributions are also sought towards natural and informal open space, play, strategic parks, sports provision, and allotments and towards local schools, health services and other community and volunteer services in line with policies HOU3a (f), COM1, COM2 and COM3.
180. In light of the above, I consider that the benefits of the development significantly weigh in its favour, and that there are no other material considerations that indicate that planning permission should not be granted. I therefore recommend that permission be granted subject to the completion of

a s.106 agreement and the planning conditions set out at the end of the report.

Recommendation

PERMIT

- A Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 (and any section 278 agreement so required), in terms agreeable to the Strategic Development and Delivery Manager or Development Management Manager in consultation with the Solicitor to the Council, with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit,**
- B Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in his view, having consulted the Solicitor to the Council and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site alone or in combination with other plans or projects; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager, in consultation with the Solicitor to the Council, to enter into a section 106 agreement/undertaking to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto,**
- C Subject to planning conditions and notes, including those dealing with the subject matters identified below, with any ‘pre-commencement’ based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018**

1. Standard time condition
2. Development carried out in accordance with the approved plans
3. Code of Construction practice
4. Hours of construction
5. Wheel washing, site set-up and contractor parking arrangements
6. Highways
7. Provision and retention of parking for the respective uses (residential, office, and Ashford School)

8. Provision of 50% active EV 7kw chargers and 50% passive including details of supporting infrastructure and its location
9. Provision and retention of secure cycle parking and bin storage
10. Details of bin storage
11. Contamination
12. Foul water sewerage disposal details
13. SUDs scheme including verification
14. Tree protection measures
15. Full details of hard and soft landscaping works within the site, including permeable paving
16. Tree pits
17. Water use not to exceed 110 litres per day
18. External bricks, roof tiles, feature bricks, metal cladding to elevations, balcony balustrading, entrance canopies and other external detailing such as rainwater goods, vents and flues and external materials all to be agreed prior to usage in the buildings.
19. Implementation of Travel Plan
20. Details of signage and art
21. Finished Floor Levels
22. Flood compensation
23. Ecological management plan
24. CEMP
25. Bat mitigation strategy
26. Ecological enhancements
27. Archaeological investigation and mitigation
28. Flooding – site evacuation plan
29. Noise mitigation
30. Details and locations of PV panels
31. Lighting strategy and details including sensitive lighting for bats
32. Green roof details
33. Available for inspection

Note to Applicant

1. S106
2. Working with the Applicant

Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner by;

- offering a pre-application advice service,
- working with the applicant to present the proposals to Design Review
- 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 applicant was provided with the opportunity for design review,
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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 21/02216/AS)

Contact Officer: Alex Stafford

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