

Application Number	15/01412/AS
Location	Garage blocks rear of 116 and 118, Beecholme Drive, Kennington, Kent
Grid Reference	01374/44272
Parish Council	Kennington
Ward	Bockhanger
Application Description	Erection of 2no. dwellings with associated parking, detached garage block and 5no. flexible parking spaces
Applicant	Mrs Sharon Williams, Head of Community and Housing, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL
Agent	Mr Craig Dobson, RDA Consulting Architects, Evegate Park Barn, Evegate, Smeeth, Ashford, Kent, TN25 6SX
Site Area	0.094ha

(a) 31 / 6R : 32 / 1R (b) - (c) KH&T / X, POS / -

Re-consultation:

20 / 1R

Introduction

1. The application is being reported to Planning Committee as the applicant is Ashford Borough Council Housing Services.

Site and Surroundings

2. The application site relates to land located within the built confines of Ashford. The land comprises hardstanding and 23 garage blocks between residential development (Beecholme Drive to the east and Nine Acres to the west).
3. The immediate locality is characterised by a mixture in the type and form of built development, including bungalows to the west that front Beecholme Drive and two storey modern terraces to the east, along Nine Acres. To the north are 5 storey blocks of flats. The design of the built form in terms of

window arrangements and proportions are regular. The external detailing of the surrounding properties is mixed, however the use of brick and part tile hanging is a key feature.

4. A site location plan is attached as an annex to this report and see below:



Figure 1 Site Location Plan

Proposal

5. Full planning permission is sought for the erection of a pair of 3 bed semi-detached houses with associated parking and landscaping, the erection of a 4 bay single storey pitched roof garage block and for the provision of 5no. unallocated parking spaces. The development would involve the demolition of all 23 garage structures currently occupying the site, along with the removal of a large area of concrete hardstanding.
6. Each property would be provided with two allocated (tandem) parking spaces; a further 5 unallocated parking spaces would be provided at the southern end of the site for use by existing residents. The 4 garages would be available for rent by existing residents. The proposed site layout is shown below:



Figure 2 Block Site Layout Plan

7. The scheme as originally submitted proposed a terrace of 3 dwellings, no garage block and no replacement parking for use by existing residents. The scheme was amended to that shown in figure 2 above following officer concerns regarding overdevelopment, overlooking, overbearing and loss of parking.
8. The access to the site would be as existing from Beecholme Drive.
9. The dwellings would be two storeys in height with a pitched roof and arranged as a pair of semi-detached houses with gable sections. The elevational treatment would comprise brick at ground floor and tile hanging to the first floor.
10. Each dwelling would have a rear garden of 10m depth, enclosed by 1.8m high timber close-boarded fencing, containing a timber shed, including bicycle storage. External bin storage is proposed to the front of the dwellings, enclosed by timber panelling.

11. The garage block would be single storey in height with a pitched roof form and of a brick and tile construction.
12. Floor Plans and Elevations for the dwellings and garage block are set out below:



Figure 3 Front South Elevation

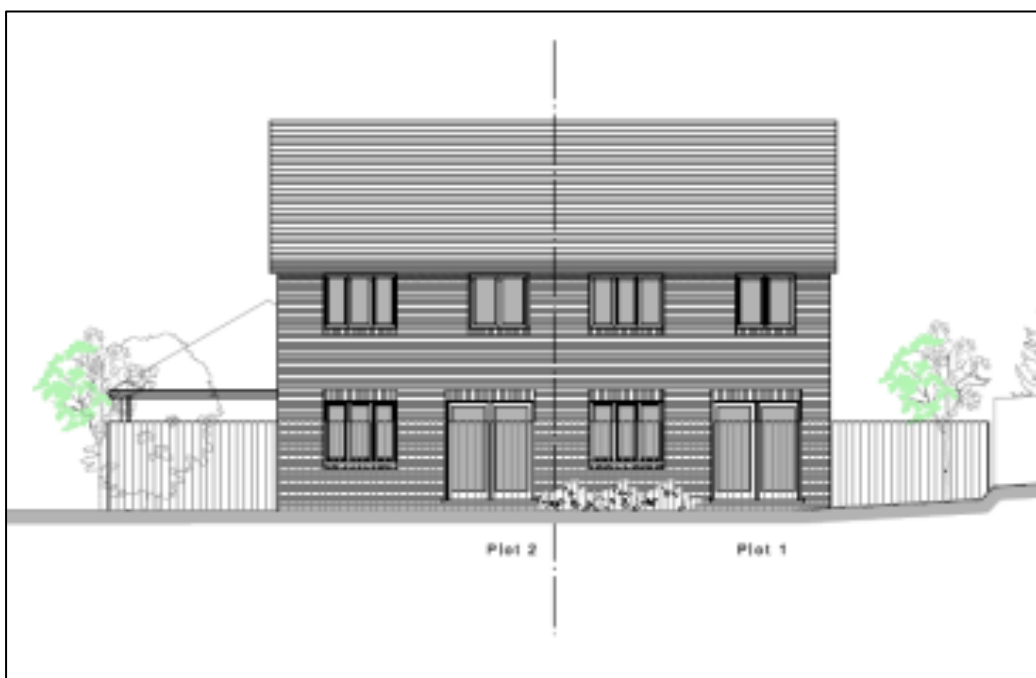


Figure 4 Rear North Elevation



Figure 5 Side Elevations of dwellings and front and rear elevations of garage block - East and West facing



Figure 6 Floor Plans of dwellings

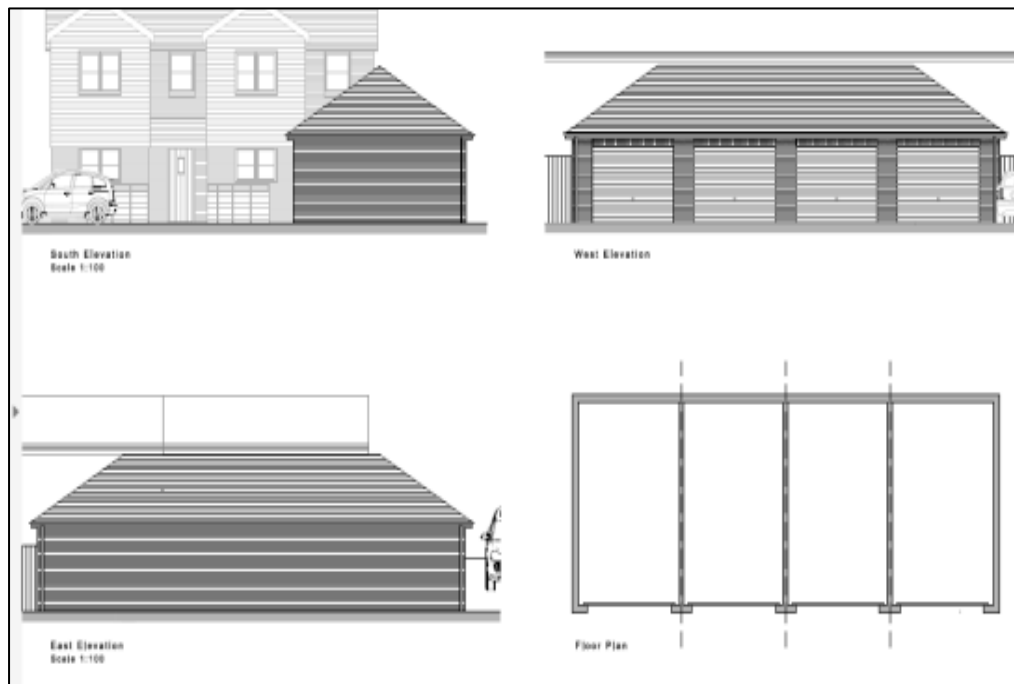


Figure 7 Floor Plan and Elevations of Garage Block

13. In support of the application, a transport/parking statement has been prepared. The report found that the existing off street parking (to the east of the site) is underused by local residents, as the capacity was never reached during extensive survey periods. It additionally found that the existing site area is underutilised by local residents. The survey confirmed that (excluding the garages) there are at any one time a maximum of 5 vehicles parking within the site utilising the parking area of 8 spaces to the south of the garages. The survey concluded that given the capacity of on street parking that would absorb any displacement; the development would not adversely impact upon the residents of Beecholme Drive. The report confirmed that out of the 23 garage spaces, only 13 are rented and given their size they are insufficient to house a vehicle and that they are likely to be used for storage rather than parking.

Planning History

14. There is no relevant planning history.

Consultations

Scheme as originally submitted (3 dwellings and no communal garages/parking):

Ward Member: No comments received.

Kent Highways and Transportation: no objection subject to conditions, noting the existing usage/demand of 5 spaces within the site area, the spare capacity for such displacement on street and the appropriate amount of parking to serve the new development.

Cultural Services: No representation received.

Neighbours: 31 consulted; 7 letters of objection received along with a petition containing 31 signatures

7 objections to the application on the following grounds:

- Impact on value of properties. (**JDCM** comment: Not a material consideration).
- Development will force parking away and affect people's health
- Parking situation will be an inconvenience for carrying shopping etc.
- Car park is already congested
- Where will parking be provided during construction and noise/disturbance.
- More parking on road will restrict emergency/refuse vehicles and worsen parking situation.
- Need access to rear of properties for bins etc.
- New fencing will need to be supplied to adjacent properties.
- The proposed homes should have parking in front and also reserve the south of site for existing residents.
- Site must be bounded by boarding to prevent spread of asbestos.

Petition received from local residents: Signed by **31** persons stating:

- Car park already congested, residents would be adversely affected.
- House values will depreciate due to parking pressures
- Car insurance premiums will rise.
- Security of vehicles and persons affected

- Disabled resident requires access to rear of property

Re-consultation following amended plan showing 2 dwellings, garage block and communal parking:

Ward Member: No comments received.

Neighbours: 32 consulted; 1 objection comment stating:

- Loss of light to the garden caused by the new garage block.

Planning Policy

15. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012 and the Chilmington Green AAP 2013.
16. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

LE6 – Off-site provision of public open space

Local Development Framework Core Strategy 2008

CS1 – Guiding Principles

CS2 – The Borough Wide Strategy

CS4 – Ashford Urban Area

CS9 – Design Quality

CS15 – Transport

CS18 – Meeting the Community's Needs

CS20 – Sustainable Drainage

Urban Sites and Infrastructure DPD 2012

U0 – Presumption in Favour of Sustainable Development

U24 – Infrastructure Provision to serve the needs of new development

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

Supplementary Planning Guidance/Documents

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Residential Space and Layout SPD 2011

Public Green Spaces & Water Environment SPD 2012

Dark Skies SPD 2014

Government Advice

National Planning Policy Framework 2012

Technical housing standards – nationally described space standard

18. 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

19. The main issues for consideration are:

- Principle
- Visual amenity
- Residential amenity
- Parking and highway safety
- Other issues, i.e. contamination and SUDs/sustainability;
- Planning obligations

Principle

20. The development is located within the built confines of Kennington, where the principle of minor residential development or infilling is acceptable provided no harm is identified in the sub-headings below.

Visual Amenity

21. The dwellings would be of a traditional form and appearance, two storey in height with a pitched roof and therefore would be sympathetic to the surrounding built context in visual terms. The size, density and layout of the dwellings would be appropriate in relation to the built development in the locality and in turn they would sit comfortably within their plot. Their elevational treatment would be consistent with other dwellings within the vicinity, with similar materials, scale and proportions. The introduction of gables to the front along with covered entrances helps to create visual interest and breaks up the mass of the building.
22. The proposed garage block would be a significant improvement over the existing and sits comfortably within its context.
23. Given this, I am satisfied that the development would not result in harm to the visual amenity of the area.

Residential amenity

24. Given the relationship of the development in respect of the neighbours to the east (Nine Acres), with a separation distance at 13m and with the neighbours to the west (Beecholme Drive) at 15m, the development would not appear unacceptably overbearing or oppressive when viewed from these dwellings and gardens.
25. The blank side elevations proposed would ensure no direct overlooking is afforded to the immediate neighbours to the east or west. Given the separation distance of 28m to the dwellings to the south, the development would not result in unacceptable overlooking.
26. In terms of the residential amenity of future occupiers of the proposed dwellings, the internal accommodation and external amenity space comply respectively with the national and Council residential space standards. Each dwelling would have a 10m deep rear garden.
27. Whilst an objection has been received stating the proposed garage block will result in a loss of light, given the single storey nature (4m at ridge level) and

separation distance (9m) to the nearest neighbour dwellings, the garage block would not result in an overbearing form of development.

28. Given the above, I am satisfied that the development would not result in unacceptable harm to the residential amenity of existing and future residents.

Loss of garages/Parking and highway safety

29. In terms of the proposed dwellings, the scheme makes provision for sufficient parking (2no. tandem spaces for each dwelling) to serve the future residents in accordance with the Council's adopted Residential Parking SPD.
30. The development would result in the loss of 23 garage spaces (of which 13 are rented) and 8 off-road parking spaces, of which a maximum of 5 spaces are used at any one time. Only 13 of the garages are used, with the remaining 10 available for rent. Notwithstanding this, their size fails the current SPD minimum dimensions for garages and so it is unlikely that they are used for car parking. As a result, it is unlikely that any vehicles from the garages would have to be relocated as part of the development.
31. The parking survey found that at most 5 cars were parked on the forecourt in front of the garages at any one time. The survey also noted that at no point did on street parking on Beecholme Drive reach capacity, either during the day or in the evening. The proposal would include (following amended plans) 5 spaces to the south of the site, to act as a flexible parking resource for existing residents. In addition the scheme would include 4no. garage parking spaces that would be useable, as they meet the Council's Parking and Design Guidance SPD. These would be made available to rent by the members of the local community. As such the parking resource in terms of quality and quantity would be enhanced for local residents. The amended scheme addresses the concerns raised by many residents in respect of the scheme as originally proposed.
32. Given the above, the development would not be harmful to parking or highway safety and is likely to actually improve the situation locally.

Other issues

Contamination

33. The site is not located in any area identified or known for contamination or land fill uses. Given the site is an existing garage block, a contamination site investigation should be carried out and a remediation scheme agreed and implemented, which can be secured by condition.

SUDs/sustainability

34. The proposed dwellings are to be connected to the existing mains foul drainage system - this will require the agreement of Southern Water and can be controlled by condition.
35. The proposed dwellings would use soakaways in order for surface water to be disposed of. The development would introduce garden areas where there is currently impermeable hard surface and therefore it would result in a reduction in surface water run-off over the existing situation. Whilst a drainage scheme has not been submitted, a condition can be attached requiring this to be submitted, with sustainable urban drainage features incorporated to deal with surface water run-off and minimise the use of the public sewerage system. The site is not in an area at risk of flooding and the development (subject to condition) would reduce surface water run-off from the site compared to the current situation in line with the Council's Sustainable Drainage SPD.

Planning obligations

36. Development Plan policies CS18, CS18a, TRS19 and adopted Public Green Space and Water Environment SPD, seek contributions from all new residential development toward public green space and infrastructure, in accordance with the NPPF which stresses the need to ensure effective planning for high quality open spaces, sport and recreation facilities. The contributions sought are tariff style planning obligations, used to help fund informal and natural public green space, outdoors sports facilities, allotments, children's play and a strategic parks in the Borough.
37. On 28th November 2014, Central Government revised its National Planning Practice Guidance to the extent that, with immediate effect, tariff style contributions should not be sought on residential developments of 10 homes or less outside of designated rural areas. This move had been taken to provide a boost to the country's small house builders.
38. However following a recent challenge by two councils against these changes to the Planning Policy Guidance (PPG) and specifically the paragraphs stating that planning obligations should not be sought on developments of 10 dwelling or less, the court on 31st July 2015 declared the changes to be unlawful. Consequently, S106 contributions under the Public Green Spaces SPD apply. However, given the small number of dwellings proposed (two), the regulations surrounding the pooling of contributions and the fact that there are no identified infrastructure projects in the vicinity, I do not consider S106 contributions are required in this instance.

Human Rights Issues

39. 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 his 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

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

Conclusion

41. Development Plan policy is supportive of minor residential development or infilling within the built confines of Ashford. The redevelopment of the garage site would not result in the loss of an active use and the parking survey submitted as part of the application demonstrates that there would be no adverse impact on parking in the vicinity as a result of the loss of garages and off-road parking on the site. In addition, the scheme provides adequate parking for the proposed dwellings and following receipt of amended plans, would provide additional flexible parking resources and garage spaces for existing residents. The proposed dwellings are well designed and would not be out of keeping with the overall character of the area. The scheme takes account of the relationship with neighbouring dwellings and would not be overbearing or result in unacceptable levels of overlooking. It is therefore considered that the scheme represents sustainable development and complies with the Development Plan and the NPPF. I therefore recommend that planning permission is granted.

Recommendation

(A) Permit

Subject to the following conditions and notes:

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

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

2. Written details including source/ manufacturer, and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision, unless otherwise agreed by the Local Planning Authority.

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

4. The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

Reason: In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

5. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid pollution of the surrounding area.

6. Prior to the commencement of the development details of drainage works, designed in accordance with the principles of sustainable urban drainage, shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out and maintained in accordance with these details.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Core Strategy Policy CS20.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Classes A-E of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

Reason: In the interests of protecting the character and amenities of the locality.

8. Prior to works commencing on site, details of parking for site personnel and visitors and loading and turning areas for construction traffic shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be provided and retained throughout the development. The approved parking, loading and turning areas shall be provided prior to the commencement of development.

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

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

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

10. No construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working activities on Sunday, Public and Bank Holiday.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwellings hereby approved shall only be occupied as a single dwelling house as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

Reason: To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development and to protect the amenities of future occupiers of the development.

12. The area shown on approved Drawing No.15-137 – 02 Rev C as vehicle parking space for the dwellings shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

13. The communal car parking and garages as shown on drawing 15.137-02 shall be provided on the site and be available for use within 1 month of the first occupation of either of the dwellings.

Reason: In the interest of highway safety

14. No development shall take place until details of the bicycle storage facilities showing 2 covered and secure spaces per dwelling have been submitted to and approved in writing by the Local Planning Authority. The approved bicycle storage shall be completed in accordance with the approved details prior to occupation of the development and shall thereafter be retained.

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

15. Elevations of the approved sheds shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the development shall thereafter be carried out in accordance with the approved details. The sheds shall be provided prior to the first occupation of the dwelling to which it relates.

Reason: In the interests of visual amenity.

16. No development shall be commenced until:
1. a site investigation has been undertaken to determine the nature and extent of any contamination, and
 2. the results of the investigation, together with an assessment by a suitably qualified or otherwise competent person, and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority.

Prior to the first occupation of the development hereby permitted or, where the approved scheme provides for remediation and development to be phased, the occupation of the relevant phase of the development:

Reason: To prevent pollution of the water environment and to avoid risk to the public, buildings and the environment when the site is developed.

Note to Applicant

1. Working with the applicant

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

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

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,

- was provided with pre-application advice,
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted.
- 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 15/01412/AS.

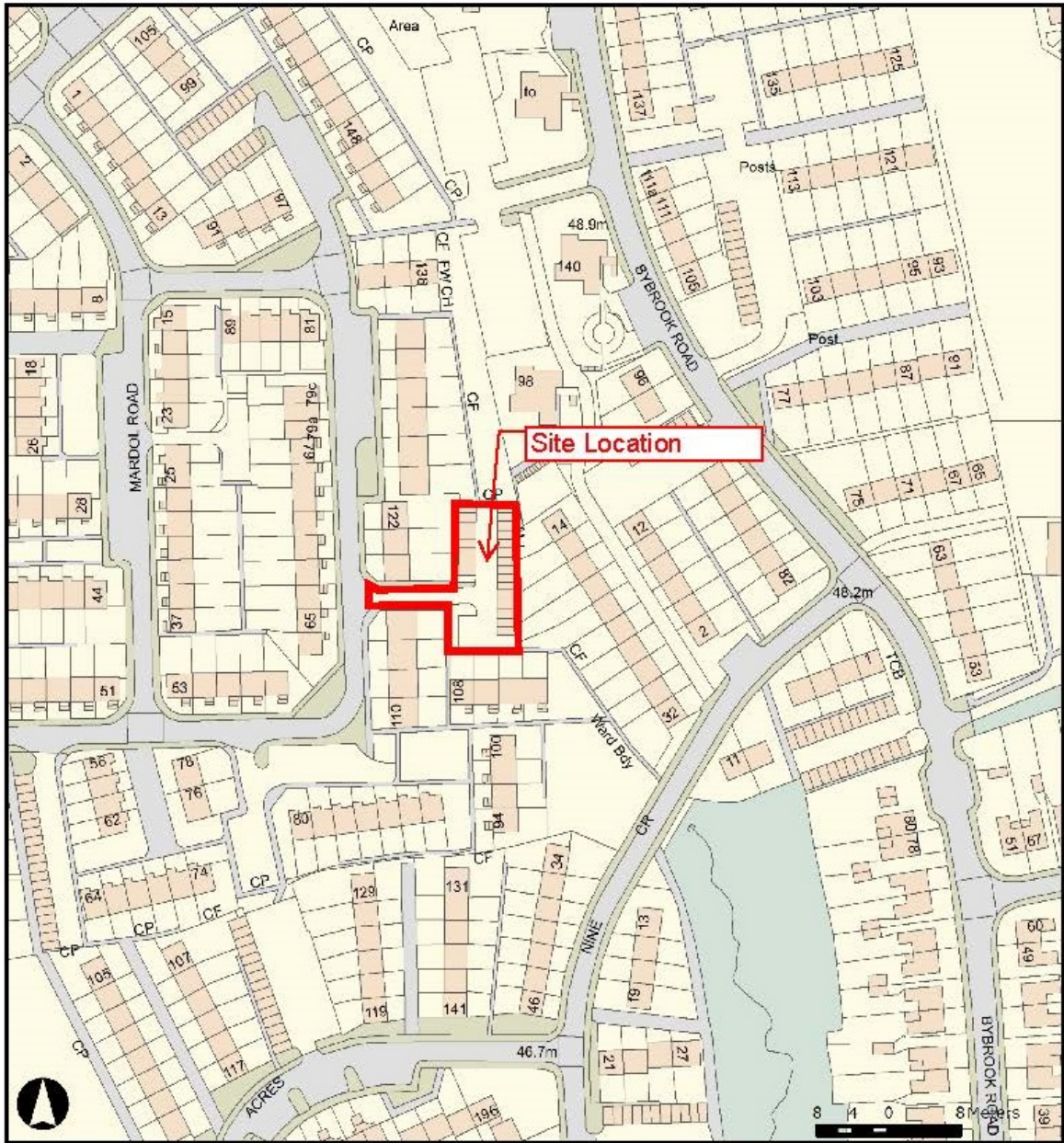
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Ashford Borough Council



Homes of Multiple Occupancy



Risk Register



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