

Application Number	16/00569/AS
Location	Multi Storey Car Park, Edinburgh Road, Ashford, Kent
Grid Reference	01005/42936
Parish Council	Central Ashford
Ward	Victoria (Ashford)
Application Description	Erection of palisade fencing at a maximum height of 3m (retrospective)
Applicant	Ashford Borough Council – Health, Parking & Community Safety, Civic Centre, Tannery Lane, Ashford TN23 1PL
Agent	N/A
Site Area	0.08ha

(a) 8/- (b) (c)

Introduction

1. This application is reported to the Planning Committee as the applicant is Ashford Borough Council.

Site and Surroundings

2. The application site comprises the land underneath the car ramp which serves the Edinburgh Road multi storey car park. The site is to the west of the Park Street entrance off Somerset Road and the Conservation Area boundary is immediately to the east of the site.
3. A site location plan is attached as an annex to this report.

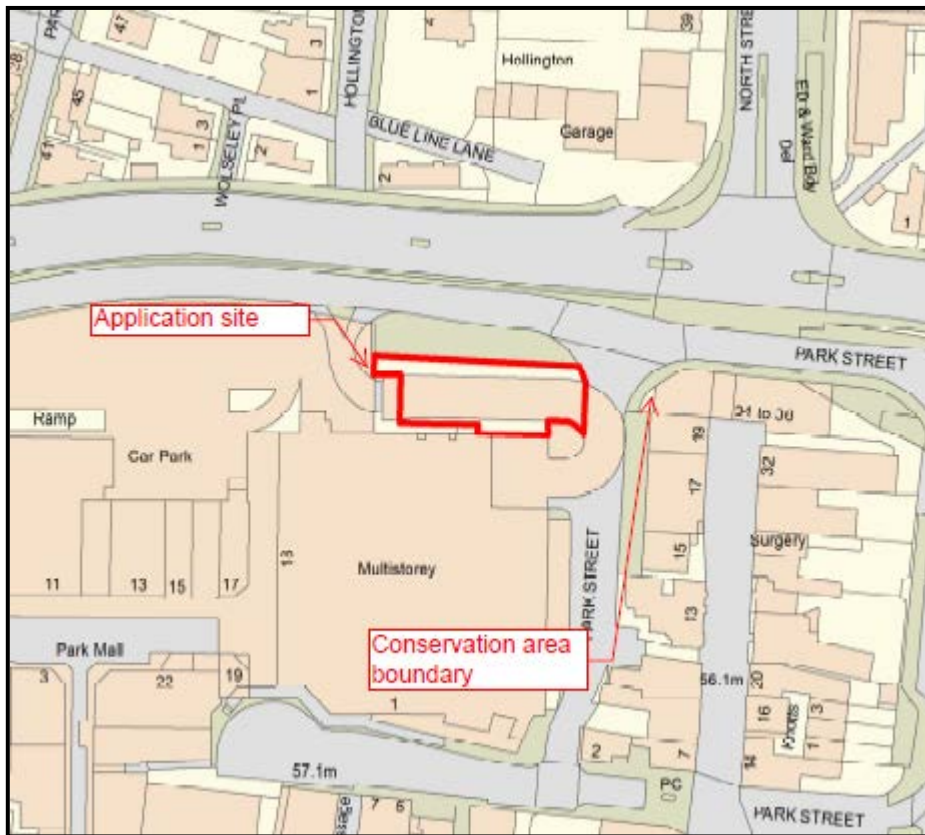


Figure 1 - site location plan

Proposal

4. Retrospective full planning permission is sought for the erection of palisade fencing underneath the ramp serving the Edinburgh Road multi storey car park. Fencing had to be erected urgently due to a fire which had taken place during the weekend of 7/8 May 2016 and the site had been prone to graffiti and used by homeless people as a sleeping area.
5. At its maximum height, the fence is 3m reducing to fit under the ramp. There is a gate for access needs. Mature, high hedging runs along the northern boundary.



Figure 2 - front, highest point



Figure 3 - fence tapering to lowest level under ramp

Planning History

6. There is no recent relevant planning history.

Consultations

Ward Members: No comment received

Neighbours: 8 neighbours consulted; no representations received

Planning Policy

7. 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 Chilmington Green AAP 2013.
8. The relevant policies from the Development Plan relating to this application are as follows:-

Local Development Framework Core Strategy 2008

CS1 – Guiding Principles for Sustainable Development and High Quality Design

CS9 – Design Quality

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

National Planning Policy Framework 2012

9. 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

10. The main issues for consideration are:
- Visual amenity
 - Residential amenity.
 - Highway safety

Impact on Visual amenity

11. The fence is of an appropriate design, scale and height for its function and given its location under the ramp, is not particularly visible from outside the wider site area. Furthermore, the mature hedging to the northern boundary screens the area from the dual carriageway on Somerset Road. I am therefore satisfied that no visual harm is caused to the surrounding street scene and the development has no impact upon the adjacent Conservation Area.

Impact upon residential amenity

12. Given the nature of the proposal and the absence of near, residential neighbours, I do not consider any harm is caused to residential amenity.

Impact on Highway Safety

13. Given the setback nature of the fencing, under the ramp, the fencing is not preventing any parking within the area. I therefore do not consider the development to be harmful to highway safety.

Human Rights Issues

14. 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

15. 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

In light of the above I am satisfied that the proposed development would comply with the requirements of DP policy and therefore I recommend that planning permission is granted.

Recommendation

Permit

Subject to the following conditions and notes:

1. 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.

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 application was acceptable as submitted and no further assistance was required.
- the application was considered by the Planning Committee where the applicant 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 16/00569/AS.

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Annex 1

