

Application Number	16/00616/AS	
Location	Imber, Cheesemans Green Lane, Sevington, Ashford, Kent, TN24 0LJ	
Grid Reference	03760/40187	
Parish Council	Sevington	
Ward	Weald East	
Application Description	Erection of a flag pole	
Applicant	Mr P Bartlett, Imber, Cheeseman Green Lane, Sevington, Ashford, Kent, TN24 0LJ	
Agent	-	
Site Area	0.03ha	
(a) -	(b) -	(c) -

Introduction

1. This application is reported to the Planning Committee because of the applicant is Councillor Bartlett.

Site and Surroundings

2. Imber is a Grade II Listed Building which has been extended over time. The site is accessed via a rural lane and the property lies outside of the built confines of Ashford Town. Running along the north-eastern boundary of the site is the Channel Tunnel Rail Link. The site is within the Mersham Farmlands Landscape Character Area.
3. A plan showing the application site is shown in Annex 1.

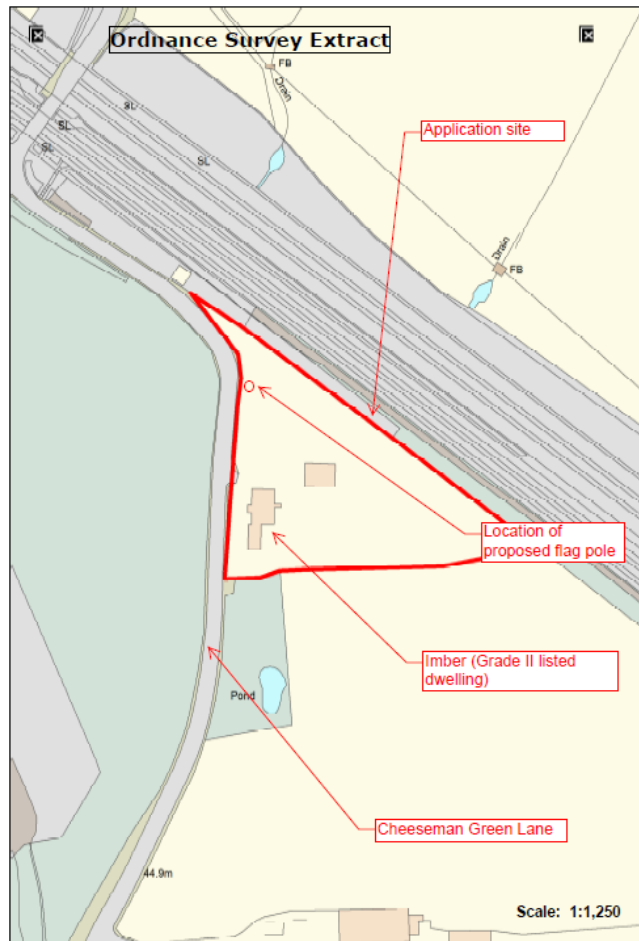


Figure 1 Site Location Plan

Proposal

4. Planning permission is sought for the erection of a flag pole. The flag pole only requires the benefit of planning permission by virtue of its height of 5.2m, which is 0.6m greater in height than that permitted under the Advertisement Control Regulations 2007. It would be located to north western boundary adjacent to Cheeseman Greens Lane (Figures 2 & 3).

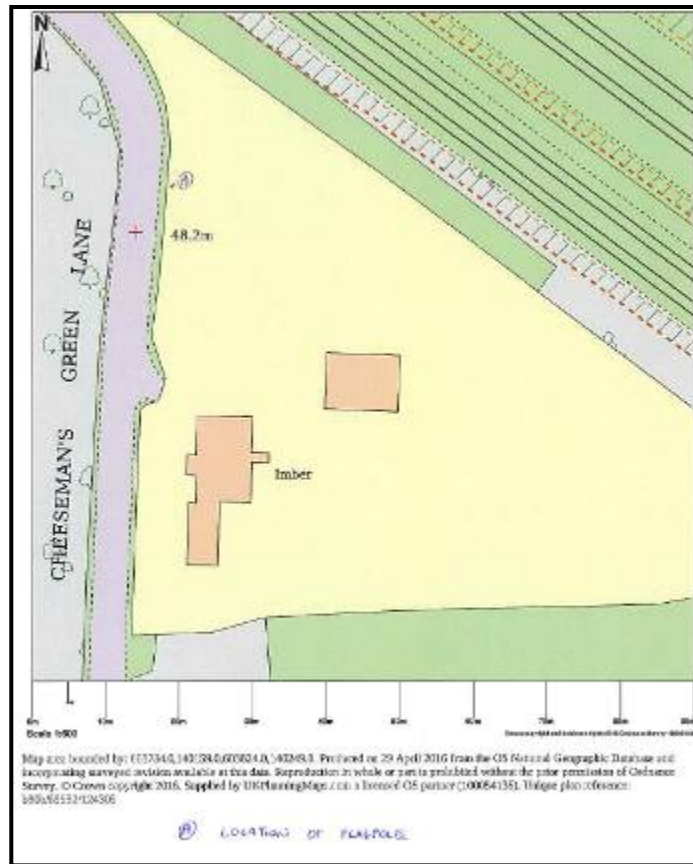


Figure 2 - Location of flag pole

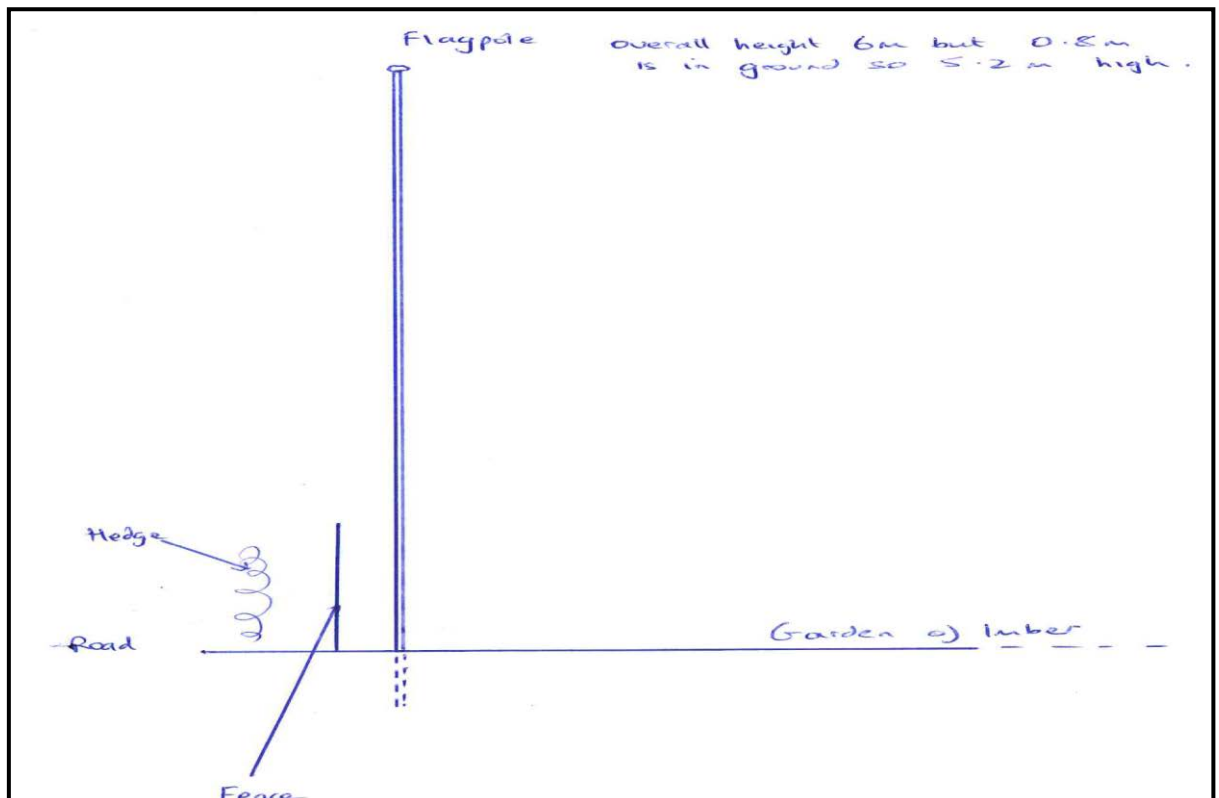


Figure 3 Flag pole design

Planning History

5. There is no previous relevant planning history for this site.

Consultations

Sevington and Mersham Parish Council: No comments received.

Neighbours: There are no immediate neighbours. A site notice was posted to advertise the application; no representations have been received.

Planning Policy

6. 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.
7. 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

CS9 – Design Quality

Tenterden and Rural Sites DPD 2010

TRS17 – Landscape Character & Design

Government Advice

National Planning Policy Framework 2012

8. 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

9. The main issues for consideration are:

- Impact on visual amenity
- Impact on setting of the adjacent listed building
- Impact on residential amenity

Visual Amenity

10. The proposed flag pole is of an acceptable height and location for its function and will sit comfortably within the context of the surrounding area. It would not represent a visually intrusive form of development harmful to the character and appearance of the countryside.

Setting of the listed building

11. The flag pole, given its size and location would not result in harm to the setting of the listed building.

Residential amenity

12. There are no immediate neighbours and given the nature of the development, there would be no harm to residential amenity.

Human Rights Issues

13. 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

14. 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

15. The proposed development only requires the benefit of planning permission because the flag pole is above the height which would normally be afforded the benefit of express consent under the Advertisement Regulations. In visual terms the design, location and size of the flag pole would be appropriate in the

context of the site and its surroundings and not result in any material harm. The proposal complies with the development plan and as such I recommend that planning permission is granted.

Recommendation

Permit

Subject to the following conditions

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. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

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.

Note to Applicant

1. Working with the Applicant

Working with the Applicant

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

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

In this instance

- the application was acceptable as submitted and no further assistance was required.
- 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 16/00616/AS.

Contact Officer: Rob Bewick

Telephone: (01233) 330683

Email: rob.bewick@ashford.gov.uk

Annex 1

