

3. The site lies outside of the built confines of the village and within the countryside / the Hothfield Heathy Farmlands Landscape Character Area. This states that the countryside around the site is characterised by gently sloping farmland with a mix of medium sized arable fields and woodland.



Figure 1: Site Location

Proposal

4. Planning permission is sought retrospectively for the installation of 3 portacabins which are used to provide onsite offices and, for the installation of a portalo. The buildings lie adjacent to Unit 1 and to the south of Ashford Woodturners.
5. This application has been submitted following an enforcement investigation into breaches of planning control which were alleged to have occurred on site.

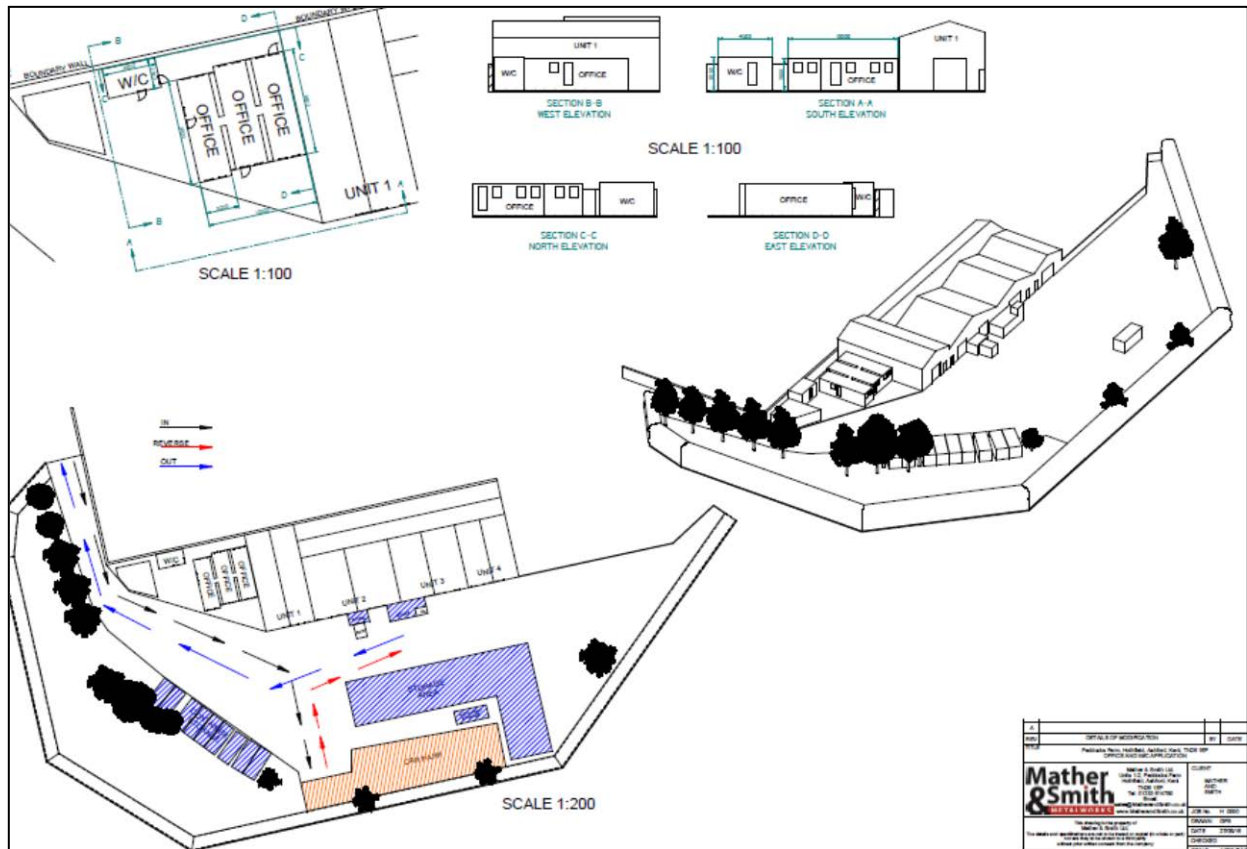


Figure 2: Site Plan

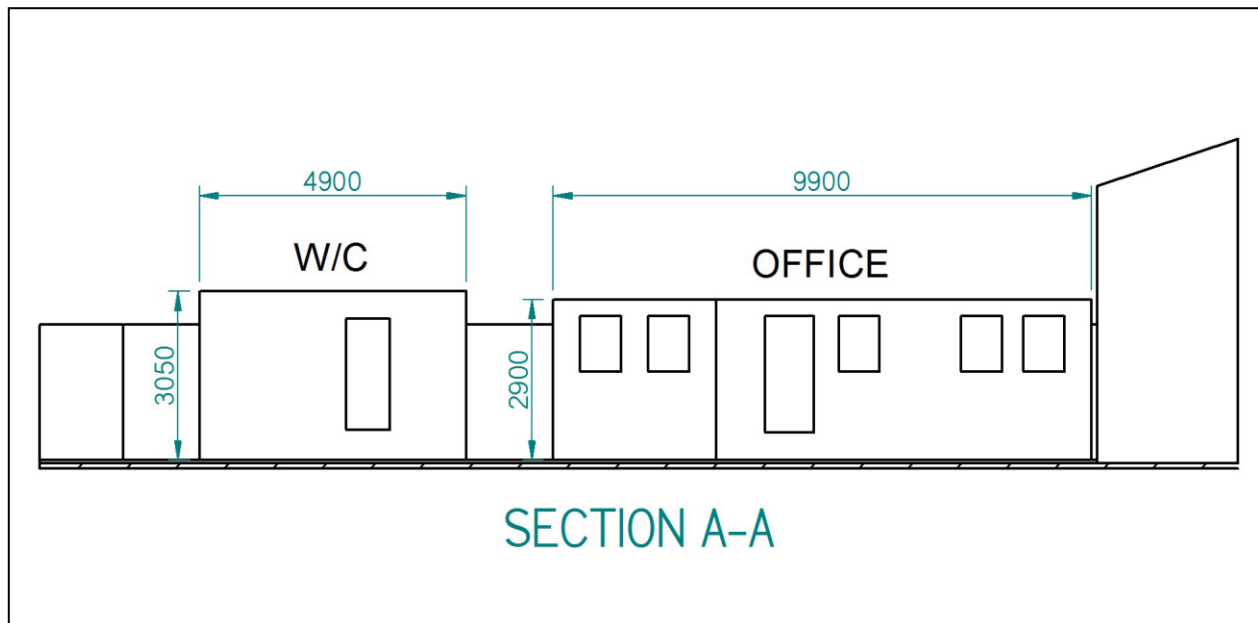


Figure 3: Elevations



Figure 4: Existing Offices



Figure 5: Office and Portaloo

Planning History

15/01468/AS Erection of building for steel fabrication and associated parking area - Permitted

06/00665/AS Proposed continued use of premises for use class B2 (steel fabrication) - Permitted

05/02093/AS Continued use of premises for the manufacture of bespoke exhaust for vehicles and plant within Class B1 of the Town & Country Planning (Use Classes) Order 2005 - Permitted

99/01595/AS Change of use and alteration of vacant agricultural building to a storage use ancillary to B1 use: Removal of condition 4 - Permitted

98/01448/AS Change of use and alteration of vacant agricultural building to storage ancillary to B1 use (permitted under 98/0620/AS) - Permitted

98/00620/AS Change of use and alteration of two agricultural buildings to (class B1) business use light industrial - Permitted

Consultations

Ward Member: Is Member of the planning committee

Hothfield Parish Council: Support

Neighbours: 7 neighbours consulted; 0 letters of objection received

Environmental Services: No objection

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. On 9 June 2016 the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016 and finished on 10 August 2016. At present the policies in this emerging plan can be accorded little or no weight.
7. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

GP12 Protecting the Countryside

Local Development Framework Core Strategy 2008

CS1 Guiding Principles

CS7 The Economy & Employment Development

CS9 Design Quality

CS20 Sustainable Drainage

Tenterden & Rural Sites DPD 2010

TRS8 Extensions to Employment Premises

TRS17 Landscape Character and Design

Local Plan to 2030

SP1 Strategic Objective's

SP3 Strategic Approach to Economic Development

SP6 Promoting High Quality Design

EMP3 Extensions to Employment Premises in the Rural Area

ENV3 Landscape Character and Design

ENV9 Sustainable Drainage

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

Supplementary Planning Guidance/Documents

Landscape Character Assessment SPD

Sustainable Drainage SPD

Dark Skies SPD

Government Advice

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.
10. National Planning Policy Guidance

Assessment

11. The main issues for consideration are:
 - Principle of Development
 - Impact on Visual Amenity
 - Impact upon Residential Amenity
 - Highway Safety/ Parking
 - Flooding

Principle of Development

12. The NPPF is supportive of the sustainable growth and expansion of all types of business and enterprise in rural areas. Policy CS1 of the LDF seeks to strictly control development and will only permit development where it can be delivered sustainably. Policy CS7 is committed to improving the economy of the Borough and enabling a range of employment opportunities to be provided. Policy TRS8 deals specifically with extensions to employment premises in rural areas stating that these are acceptable provided the development can be integrated sensitively into its context; does not involve an extension to a building where this would harm its character; would not have a significant impact on the living conditions of neighbouring dwellings and does not generate traffic that would be inappropriate to the surrounding rural road network.
13. The site lies within the countryside just outside of the village of Hothfield. As can be seen from the planning history it has been an established employment site for many years. The lawful use of the units is for B2 metal fabrication with the 4th unit having an ancillary B1 light industrial use. A small extension to this existing premises to provide office and toilet facilities would thus accord with policies CS1 and CS9 in delivering a sustainable form of development. It would also contribute toward a sustainable rural economy in accordance with

the principles of the NPPF. The buildings are of no architectural or historic interest. The remaining criteria of TRS8 are discussed in the following sections.

Impact upon Visual Amenity

14. The portacabins and portaloos are of a size which are proportionate to the size of the site. Situated next to Unit 1, and behind the Ashford Wood Turners, views of the development are contained to within the site. The development does not appear visually prominent or intrusive and is sympathetic to the site's utilitarian character and appearance. The materials match well with the existing building which is acceptable and the development assimilates well with its surroundings.
15. No significant or unacceptable visual harm to the countryside and surrounding landscape is caused by the development.

Impact upon Residential Amenity

16. The portacabins are used to provide office space / WC facilities ancillary to the existing business. Well divorced from residential property, the development does not result in any noise or disturbance and is not visible from nearby dwellings. As such the proposal causes no harm to residential amenity.

Highway Safety/Parking

17. The developed is required to provide office space ancillary to the existing business and as such would not result in a material increase in traffic accessing / leaving the site. There is sufficient parking on site to serve the development. The proposal raises no highway safety issues.

Flooding

18. Located the north of the site, the development does not impact upon the grassed bunds to the south / west which form part of the Hothfield Flood Detention Scheme.
19. With the existing flood defences unaffected by this development, and considering the development does not involve a vulnerable land use, it is not considered to result in a significant or unacceptable increase in risk of flooding on site or within the surrounding area. The site lies outside of flood zones 2 & 3.

Human Rights Issues

20. 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

21. 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

22. Balancing the issues identified above, the proposal is considered to be compliant with the criteria of local development plan policy TRS8. No overriding harm is caused to the visual and residential amenity of the locality. No highway safety issues arise from the proposal and the development is considered to be acceptable in terms of its impact upon flooding and risk of flooding. The buildings in question are required to support an existing rural business which is strongly supported in the NPPF as well as the adopted and emerging development plans. The proposal is therefore considered to be acceptable and in accordance with the Development Plan as a whole. I therefore recommend the application is permitted subject to conditions.

Recommendation

Permit

Subject to the following conditions and notes

1. The offices shall only be used for Class B1a (Office) ancillary to the lawful B1 & B2 use of the site and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

Reason: In order to preserve the amenity of the locality

2. No external lighting other than that approved shall be installed on the building without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity of adjoining residents

3. 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

- was provided with pre-application advice,
- 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

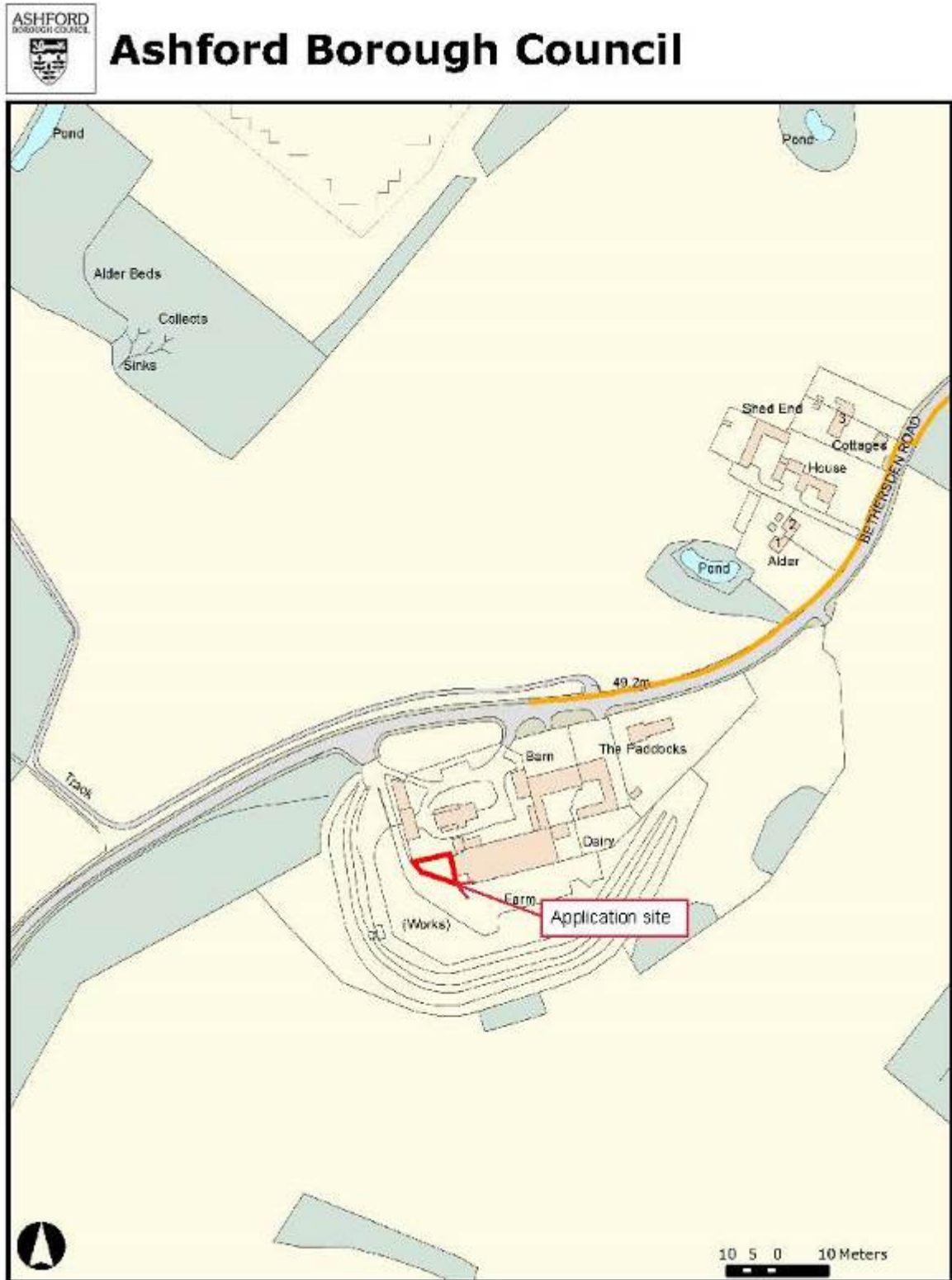
All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 16/00810/AS.

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Annex 1



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