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| <b>Application Number</b>      | 16/01097/AS   |
| <b>Location</b>                | Land between Belmont Place and the KCC Reading and Advisory Centre, Alfred Road, Willesborough Ashford                        |
| <b>Grid Reference</b>          | 01559/41464   |
| <b>Ward</b>                    | Aylesford Green   |
| <b>Application Description</b> | Construction of a block of three 2 bedroom flats with parking, cycle store, bin store and erection of 1.8m metal rail fencing |
| <b>Applicant</b>               | Mr Giles Holloway, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL                                     |
| <b>Agent</b>                   | Mr Craig Dobson, RDA Consulting Architects, Evegate Park Barn, Evegate, Smeeth, Ashford, Kent, TN25 6SX                       |
| <b>Site Area</b>               | 0.21 Hectares   |

(a) 37/1R                      (b) -                      (c) KH&T X; EHM (EP) X;  
SW X

## Introduction

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

## Site and Surroundings

2. The application site is on land adjacent to 32-40 Belmont Place, Newtown. The existing building is a 3 storey block of flats built in the 1970s as part of a wider redevelopment of the area.

3. The Ashford to Hastings railway line passes to the west of the site and separates the site from the Designer Outlet. To the north is a nursery school and KCC offices which share the same building. There are two storey Victorian terraced houses opposite on Alfred Road. There are a number of trees within the site which form part of the communal gardens which serve the flats. The site is enclosed by a mixture of close board fencing and brick walls. There is an existing parking and turning area for the existing flats adjacent to the western site boundary.



Figure 1 - Site Location Plan

4. A site plan is attached as Annex 1.

## Proposal

5. Full planning permission is sought for the erection of a three storey extension to the existing building to form three 2 bedroom flats. 8 unallocated parking spaces would also be provided along with additional landscaping, a bin store, cycle store and 1.8m high metal rail fencing. A link will join the existing flats with the proposed extension. The proposed development would match the design and materials of the existing building.



Figure 2 Existing Site Layout



Figure 3 Proposed Site Layout



Figure 4 Proposed Elevations

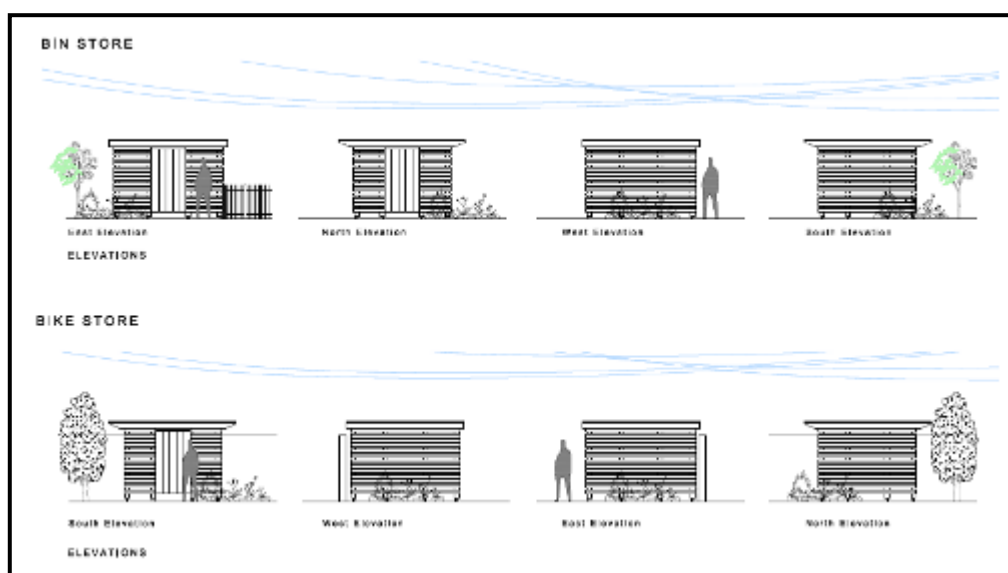


Figure 5 Proposed Bin and Cycle Store

6. The scheme is a resubmission of planning application 12/00270/AS which has now lapsed.

## Planning History

12/00270/AS: Planning permission for the construction of a block of three x two bedroom flats with parking, cycle store, bin store and erection of 1.8m metal rail fencing - permitted

## Consultations

**Ward Member:** no comments received

**KCC Highways and Transportation:** no comment

**37 neighbours consulted:** 1 objection comment received raising the following:

- The parking spaces provided vary in their location and quantity depending on the plans provided.
- The more spaces which can be provided the better as there are serious issues in the area with parking.
- Neither of the storage areas should be located adjacent to the boundary wall of the nursery or KCC building as it would result in damage to the wall or safety issues.

**Southern Water:** no objection subject to informatives on the granting of planning permission.

**Environmental Health Manager:** No objection subject to conditions

## **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 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 closed on 10 August 2016. At present the policies in this emerging plan can be accorded little or no weight.
8. The relevant policies from the Development Plan relating to this application are as follows:-

### **Local Development Framework Core Strategy 2008**

CS1 – Guiding Principles

CS9 – Design Quality

CS20 – Sustainable Drainage

### **Urban Sites and Infrastructure DPD 2012**

U0 – Presumption in Favour of Sustainable Development

### **Local Plan to 2030**

SP1 – Strategic Objectives

SP6 – Promoting High Quality Design

ENV7 – Water Efficiency

HOU3 – Residential Development in Ashford Urban Area

HOU10 – Development of Residential Gardens

HOU14 – Accessibility Standards

HOU15 – Private External Open Space

TRA3(a) – Parking Standards for Residential Development

TRA6 – Provision for Cycling

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

### **Supplementary Planning Guidance/Documents**

Residential Space and Layout SPD

Residential Parking and Design SPD

Sustainable Drainage SPD

Dark Skies SPD

### **Government Advice**

National Planning Policy Framework 2012

10. 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.
11. National Planning Practice Guidance

### **Other Government Policy**

12. Technical Housing Standards – Nationally described space standards

### **Assessment**

13. The main issues for consideration are:

- Principle
- Impact on Visual Amenity
- Impact on Residential Amenity
- Highway Safety & Parking
- Other issues

### **Principle**

14. The development is located within the built confines of Ashford Town where the principle of new housing development is accepted subject to certain other material considerations. The dwellings are in close proximity to, and have easy access to, a range of public services and transport links and therefore the site represents a sustainable location.
15. The proposed development would be of a scale and form which would match the existing building and would not be out of place within this context.
16. The principle of the development was previously found to be acceptable under 12/00270/AS and there have been no material changes in policy relating to windfall housing provision in the urban area which would contradict this conclusion. There have been no material changes on site since the previous application. As such, subject to there being no matters of overriding harm then the principle of the proposed development can be considered acceptable.

### **Impact on Visual Amenity**

17. There have been no changes in the siting, height, scale and design of the proposed development from the scheme approved under 12/00270/AS. The existing residents opposite the site in Alfred Road have views of this undeveloped area of land with the trees beyond which fringe the railway line.
18. The view is limited because of an existing 1.8m high fence and wall. The extension to the flats will be visible from these dwellings in Alfred Road as in effect it will be partly infilling the gap between the existing flats and the Victorian building to the north. However loss of view is not a planning

consideration and because the extension is set so far back from the road frontage, and the design of the flats mirrors the existing development, the visual impact will be limited. It is proposed to replace the fence along the frontage with a 1.8m high black metal fencing which will allow glimpses through to the grassed area and the new flats beyond.

19. Directly to the north of the site is the Victorian building which is used as a nursery and for office accommodation. In the main this is an attractive building but has had some more modern flat roof extensions to the southern side. It is separated from the site by a 2m high brick wall. There will be a separation distance between this building and the new flats of approximately 15m and due to the orientation of the buildings they will not be seen in the same view. In addition as the extension to the flats mirrors the existing development, the flats will not look out of place in this location.
20. In light of the above I consider that the proposed development will not be harmful to the visual amenity of the area.

### **Impact on Residential Amenity**

21. The proposed extension would not result in loss of light or privacy to the occupiers of the neighbouring dwellings nor those opposite the site on Alfred Road given the separation distance. There would remain a large area of external amenity space surrounding the flats and this would allow for sufficient external open space for the existing and future occupants of the flats. There have been no changes in the context of the site and surroundings with respect to residential amenity since the approval of the previous scheme 12/00270/AS. The proposal would therefore cause no harm to the residential amenity of existing or future residents.

### **Highway Safety & Parking**

22. The proposal would result in a net increase in the number of parking spaces from 5 to 13. The current requirement is for one space per flat, however, the emerging local plan requires two parking spaces per flat and this has been provided. In addition to this, cycle parking has been provided on site. In light of this, there would be no harm to highway safety or parking within the area as the proposal would result in additional parking above and beyond the required level.

### **Other issues**

23. Concern has been raised regarding the location of the bin and cycle stores and the potential impact on the boundary wall of the building to the north of the site. Whilst the store would abut the wall, this would only be for the length of the store and this is limited in extent.



## Human Rights Issues

24. 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

25. 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

26. The principle of the proposed development would be in accordance with the Development Plan given that it is within the built confines of Ashford and the development would be of a scale, height and form which would sit comfortably within the site and as an extension to the existing flats. There is sufficient external amenity space and a net increase in parking provision for the residents. There would be an enhancement of the existing external amenity space and the proposal would not result in harm to residential amenity or highway safety. As such I recommend that planning permission is granted.

## Recommendation

### 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. The external materials and finishes to be used for the approved development shall be of the same size, colour, tone and texture as those of the existing building unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To assimilate the new development with the existing in the interests of visual amenity.

3. No development shall be commenced until:
- (a) a site investigation has been undertaken to determine the nature and extent of any contamination, and
  - (b) 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:

- (c) the approved remediation scheme shall be fully implemented (either in relation to the development as a whole or the relevant phase, as appropriate), and
- (d) a Certificate shall be provided to the Local Planning Authority by a suitably qualified or otherwise competent person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

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

4. Prior to works commencing on site, details of parking for site personnel as well as details of 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.

5. 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.

6. The area shown on the drawing number 16.132 - 05 as vehicle parking space, and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the premises are 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) (England) 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.

7. Prior to the occupation of the development hereby approved the bicycle storage facilities shown on approved drawing Nos 16.132 - 05 and 16.132 - 10 shall have been completed and shall be retained thereafter for the use of the occupiers of the property.

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

8. Prior to the occupation of the development hereby approved the bin store shown on approved drawing Nos 16.132 - 05 and 16.132 - 10 shall have been completed shall be retained thereafter for the use of the occupiers of the property.

**Reason:** In the interests of the visual amenity of the area.

9. Prior to the commencement of works details of the metal fencing/railings shall be submitted to and approved by the Local Planning Authority in writing and the works shall be carried out in accordance with the approved details prior to the occupation of the development and shall be retained thereafter.

**Reason:** In the interests of the visual amenity of the area.

10. 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

11. 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.

12. 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.
2. A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

No development or new tree planting should be located within 3 metres either side of the centreline of the public foul and surface water sewers and all existing infrastructure should be protected during the course of construction works.

No new soakaways should be located within 5 metres of a public sewers.

## Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://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 16/01097/AS.

**Contact Officer:** Rob Bewick

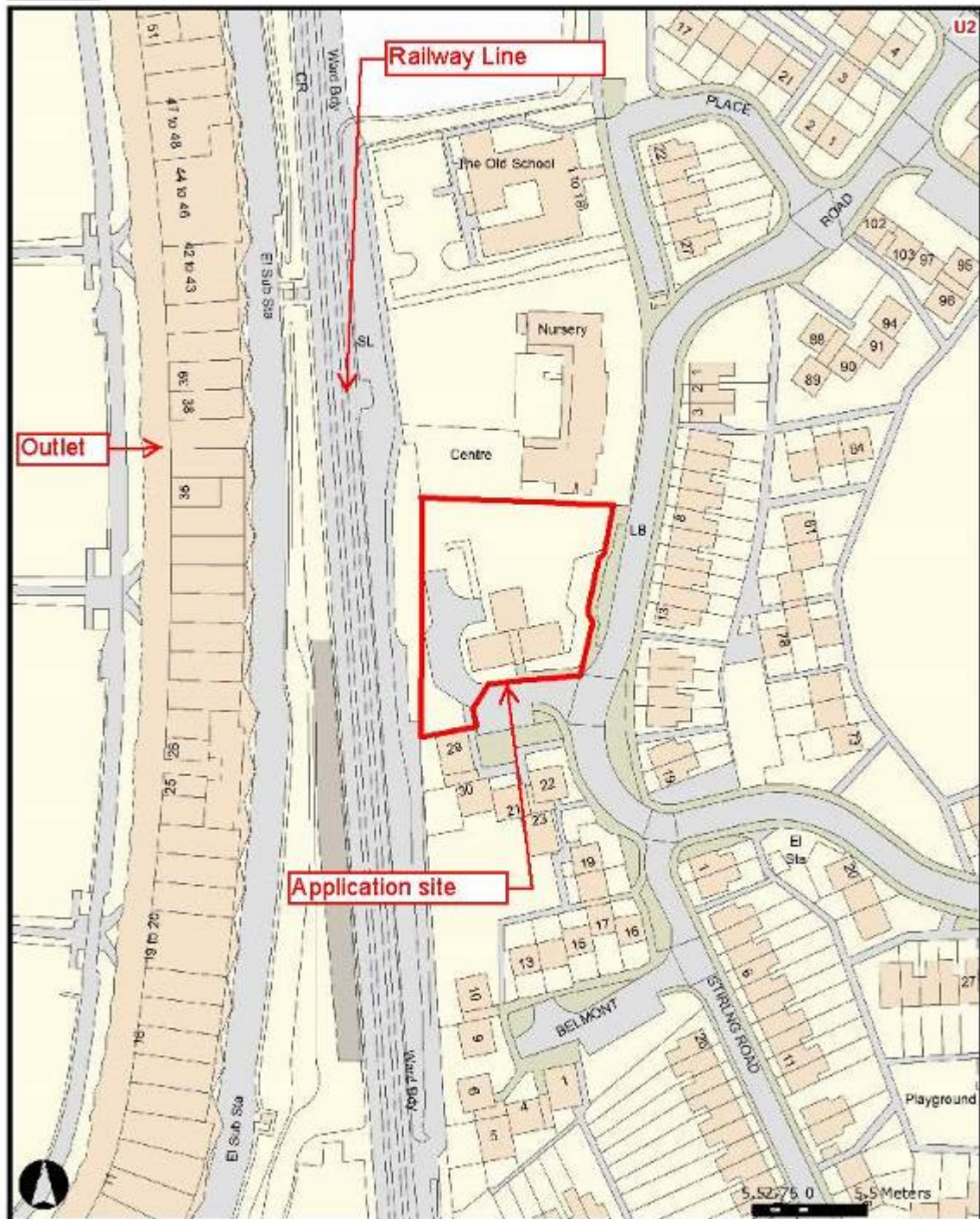
**Telephone:** (01233) 330683

**Email:** [rob.bewick@ashford.gov.uk](mailto:rob.bewick@ashford.gov.uk)

Annex 1



# Ashford Borough Council



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