

Application Number	17/00719/AS
Location	5, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17, 19, 20, 22, 23, 24, 25, 26, 27, 29, 32 and 34 Chester Avenue, Bethersden, Ashford, Kent, TN26 3BW
Grid Reference	92670/40117
Parish Council	Bethersden
Ward	Weald Central
Application Description	Recladding of existing external walls with rendered finish
Applicant	Ashford Borough Council Housing Services
Agent	N/A
Site Area	0.63 ha

(a) 52/4R (b) X (c)

Introduction

1. This application is reported to the Planning Committee because the applicant is Ashford Borough Council Housing Services. The application was deferred from the June 2017 committee to allow the applicants the opportunity to carry out further consultation with the residents of Chester Avenue whose properties are not included within the application site and to investigate whether there is the potential for the Council, as housing authority/landowners, to assist in funding the recladding works for those properties. Councillors are now happy for the application to be heard at July's committee.

Site and Surroundings

2. The application site comprises 22 semi-detached post WW2 Airey style properties, 17 of which are under the ownership of Ashford Borough Council, with 5 being privately owned. They are part of a linear form of uniform dwellings. There are two house types subject of the application – the differing house types relate to fenestration detailing and porches rather than external finishes.

3. The site is included within the Bethersden Mixed Farmlands Landscape Character Area (LCA). The boundary of the designated Bethersden Conservation Area (CA) is just to the west of the site and just borders the rear gardens of Nos 16 & 17.
4. The properties are externally finished in precast slatted panels with an exposed aggregate finish. A site location plan is attached as an annexe to the report.

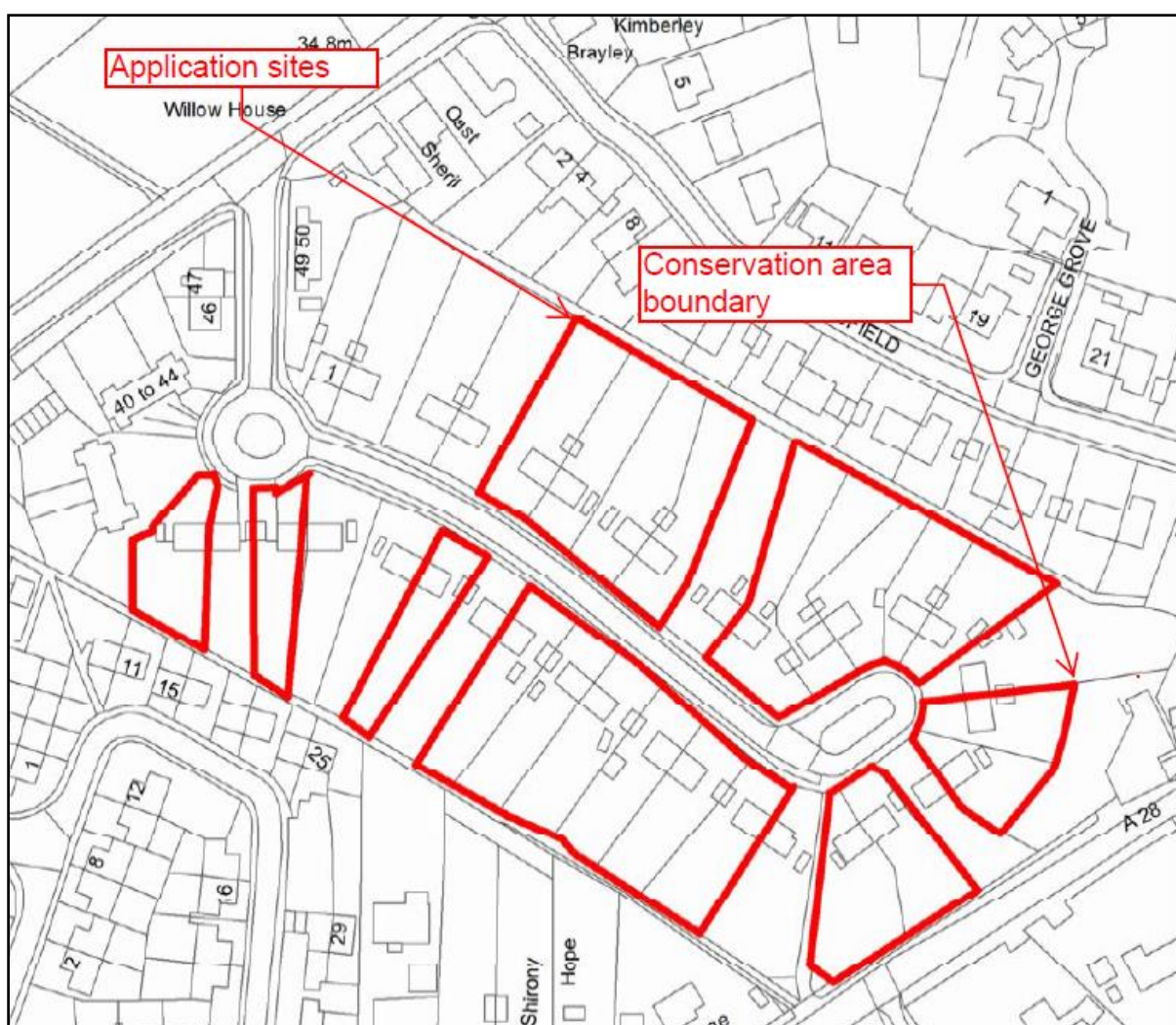


Figure 1 - site location plan



Figure 2 - existing elevational treatments



Figure 3 - existing elevational treatments

Proposal

5. Full planning permission is sought for a change of external materials from precast concrete slatted panels to plain rendering finish in a cream/off-white colour.
6. In support of the proposed development the application says the aims of the project are to:

- Improve the thermal efficiency of the structure. This will realise associated benefits to the residents and more widely the environment as a whole.
 - Improve the weather-tightness of the existing structure and prolong the useful life of the Council's asset.
 - Negate the need for maintenance, in particular, to stabilise the structure in the foreseeable future.
 - Improve the external appearance of the dwellings.
7. At the time of the June committee further supporting information was provided by the applicant from the supplier (Wetherby Building Systems Ltd) which advised the following:

"The system used to refurbish and clad the Grenfell Tower Block was a ventilated rain screen system and not an insulated render/brick slip system. We complete in-depth fire testing on our EWI systems through the BBA (British Board of Agreement) and the BRE (British Research Establishment), to ensure our systems achieve the highest industry standards and meet current building regulations with regard to fire resistance and spread of flame".

The applicant also advised that the buildings subject of this application are only low-rise with no shared common areas.

8. The intention is to roll out the scheme across the Borough over time. The Council has about 70 Airey Style houses dotted around the Borough primarily in rural locations. Although the houses were structurally improved in the late 80's early 90's and had some insulation upgrade then, they still fall well short in thermal performance; when prepared to other forms of more traditionally built housing.

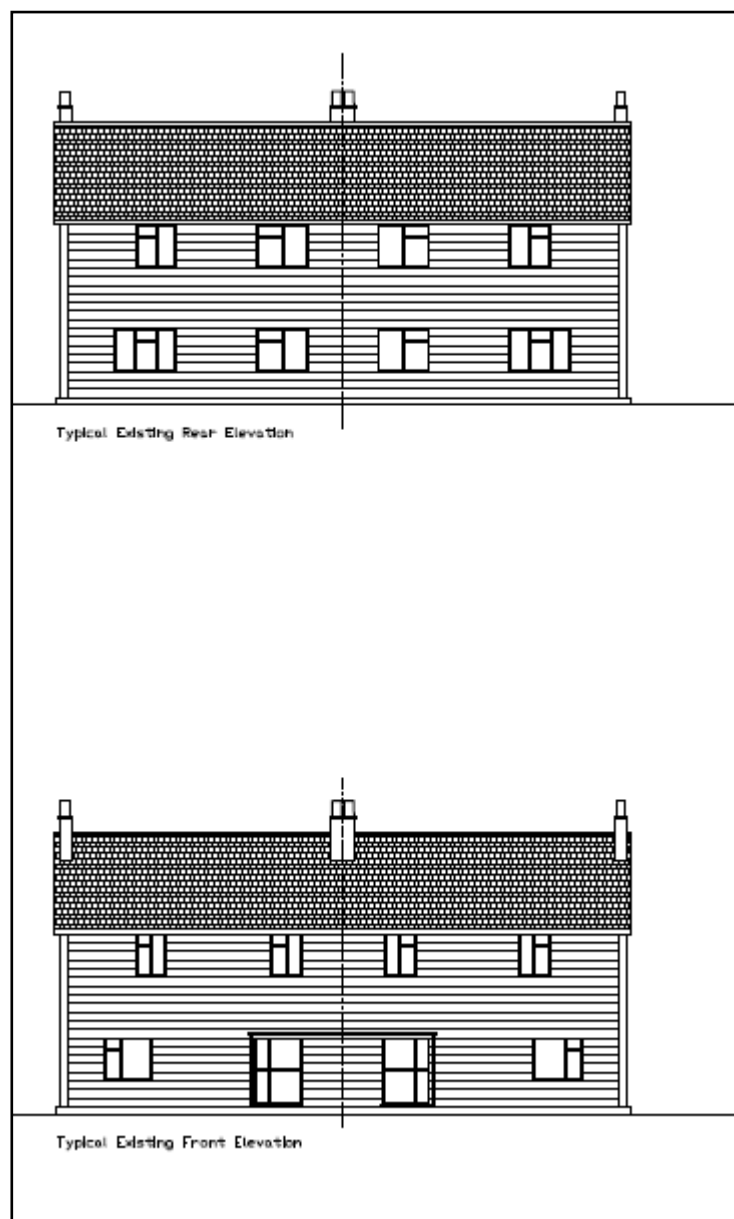


Figure 4 existing front and rear elevations



Figure 5 proposed elevations assuming adjacent neighbour unchanged

9. The applicant has also made reference to an identical scheme at Downs View, Westwell, within an Area of Outstanding Natural Beauty (AONB) where planning permission was granted by Members and the development has been implemented. This development related to a row of semi-detached properties fronting directly onto the road leading out of the village and with a rural outlook. Examples of this development can be seen below:



Figure 6 - example 1



Figure 7 example 2

Planning History

There is no relevant planning history

Consultations

Ward Members: No representations received

Neighbours: 52 neighbours consulted; four letters of objection received stating:

- Detrimental impact on aesthetic appearance of the avenue; proposed finish not in keeping with existing finish; result in “patchwork” look; considered by local estate agents that works will have detrimental effect on values of property; concerns regarding future maintenance work to existing facades; repair funding; comment regarding render life-span but no technical data to support; render will look dilapidated (*JDCM comment: house values are not material planning considerations; the maintenance and cost would be a matter for housing services as is the issue over lifespan of render*)
- Proposed elevations not compatible with existing dwellings which are not being treated – will result in an eyesore, clashing, completely changing character of the area. Little thought gone into new works blending with existing, dreadful mismatch not suited to village environment. Overcladding causes penetration – may allow moisture to enter panels affecting concrete and reinforcement causing panels to degenerate and ultimately collapse. New overcladding will be very vulnerable.
- Objection much to same as another representation by another neighbour – question relevance of comparison to site in Westwell (on application form) – comments on other sites in the Borough (Westwell & Shadoxhurst) but note that these sites are of linear arrangements and views different. Chester Avenue is a cul de sac so every house has a view onto the other properties. Patchwork enormous visual impact for residents and pedestrians. Different frontage to properties 35-50 Chester Avenue. Negatively affect aesthetic view. Comments on maintenance and warranty. Comment on approach of the Council being unprofessional and non-compliant with planning regulations; permission only applied for when complaint was made by resident that work was going ahead and residents who made private enquiries were listed on the application without formal notice and a resident had to point this out and details of residents acquired without permission. Comment that contact made with planning officer (*JDCM comment: the maintenance and warranty are not planning considerations. The application was submitted to the planning department in accordance with normal, correct procedures when an approach was made to the planning department to ascertain whether permission was required. Once the planning department were aware of the inaccuracy in the inclusion of a particular resident in the application,*

that was immediately rectified. Formal notice has been noted on the application form as having been served on relevant parties.)

- External appearance altered detrimental to home owners but also affect overall appearance, detrimental to overall setting within village; hotch potch finish. Concern over safety, maintenance and performance when rendering half a unit. Comments made on information given to tenants/owners – should be tenant consultation. Cost-effective now – maintenance and cost effective in future? Houses highly visible in village setting – rendering some and not others seems worse. Should consider other options. Concern on safety (*JDCM comment – this objection was received at the Council on the day of the June committee and was brought to members' attention in the update report for that committee*)

Planning Policy

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, the Chilmington Green AAP 2013 the Wye Neighbourhood Plan 2015-30 and the Pluckley Neighbourhood Plan 2016 - 30 . On 9 June 2016 the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016 and closed after 8 weeks. Proposed changes to the draft Local Plan were approved for further consultation by the Council on 15 June 2017 and consultation has now commenced . At present the policies in this emerging plan can be accorded little weight.

10. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

EN16 Development in Conservation Areas

Local Development Framework Core Strategy 2008

CS1 Guiding Principles for Sustainable Development and High Quality Design

CS9 Design Quality

Tenterden & Rural Sites DPD 2010

TRS17 Landscape Character and Design

Local Plan to 2030

SP1 Strategic Objectives

SP6 Promoting High Quality Design

ENV3 Landscape Character & Design

ENV14 Conservation Areas

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

Supplementary Planning Guidance/Documents

Landscape Character Assessment SPD 2011

Bethersden Village Design Statement 2002

Government Advice

National Planning Policy Framework (NPPF) 2012

12. 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. The following sections of the NPPF are relevant to this application:-

Paragraph 14 sets out a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 17: Inter alia, one of the 12 core planning principles include:

“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

Assessment

13. The main issues for consideration are:

- Visual Amenity
- Residential Amenity

Visual Amenity

14. Quite a large extent of the Avenue is subject to the proposed development, to both the northern, eastern and southern sides. The change of external

materials to a light coloured render, whilst being a different material and colour to some of the other dwellings within this frontage, would not represent an incongruous contrast and thus be out of character with the context of the site.

15. In turn, the development will improve the thermal efficiency of these properties as a whole. It is of note that Members approved a similar scheme in 2016 for near identical properties in a location in Westwell, within the AONB. Neighbour comments have been taken into consideration. However, on balance, the development would not be visually harmful to the street scene and would preserve the character of the adjacent Conservation Area.

Residential Amenity

16. Given the nature of the development proposed, there would be no impact upon the residential amenity of the neighbouring properties.

Other matters

17. In response to Members concerns about the consultation process with residents of Chester Avenue and the request for the carrying out of further consultation with the residents of Chester Avenue whose properties are not included within the application site, I have been advised of the following:
18. In relation to homeowners. Prior to the submission of the planning application, the contractor canvassed all of the homeowners within Chester Avenue and set up an open evening in the village hall for those who might be interested. It would appear that those who expressed an interest attended and were amongst those that the Contractor suggested be included on the blanket planning application. Those potentially affected by the development were served with a Party Wall Notice (PWN) 20 February 2017. Ward Members were notified of the proposal 06 March 2017. No.1 approached the Council to object that their home had been included in the planning application 18 May 2017. Due to concerns raised by some homeowners the remaining homeowners were revisited by the Contractor to confirm they were happy to remain as part of the application 19 May 2017. The outcome of the consultation was that eight out of the ten where a PWN was served were fully aware of the proposals and those who were interested contacted the Contractor. Those who did not wish for the works to be carried out to their property either objected or are content to be left as they are.
19. In relation to the tenants. A work notification was sent 14 February 2017. A delay notification was subsequently sent 27 April due to the subsequent confirmation of the need for planning permission.

20. With reference to the potential for the Council to assist with the funding of the recladding works for those properties not included in the application. I have been advised that there is no available resources in the Housing Department to fund this and following discussions with the Finance Department assisted funding would be inappropriate and there are no exemptions in the regulations to allow for this approach.

Human Rights Issues

21. 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

22. 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

23. The objective of the development is to facilitate a better form of insulation for the properties, prolonging the life of the Council asset as well as reducing future maintenance costs.
24. Whilst objections have been received by neighbours in relation to the resulting appearance of the avenue, it is not considered that the development would result in an incongruous form of development which has been demonstrated at the recent Westwell development. In turn, there would be no harm to residential amenity. Whilst there have been other objections raised to the scheme, these relate to the maintenance and lifespan of the materials along with the appropriation of Council funds, the liaison with the tenants/owners and potential disruption and the fact the houses are not in disrepair. However, these are not material planning considerations and do not relate to visual or residential amenity. For the reasons above, I therefore recommend that the application is approved as it accords with the relevant Development Plan policies and there are no overriding material considerations to suggest otherwise.

Recommendation

Permit

Subject to the following conditions and note:

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

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

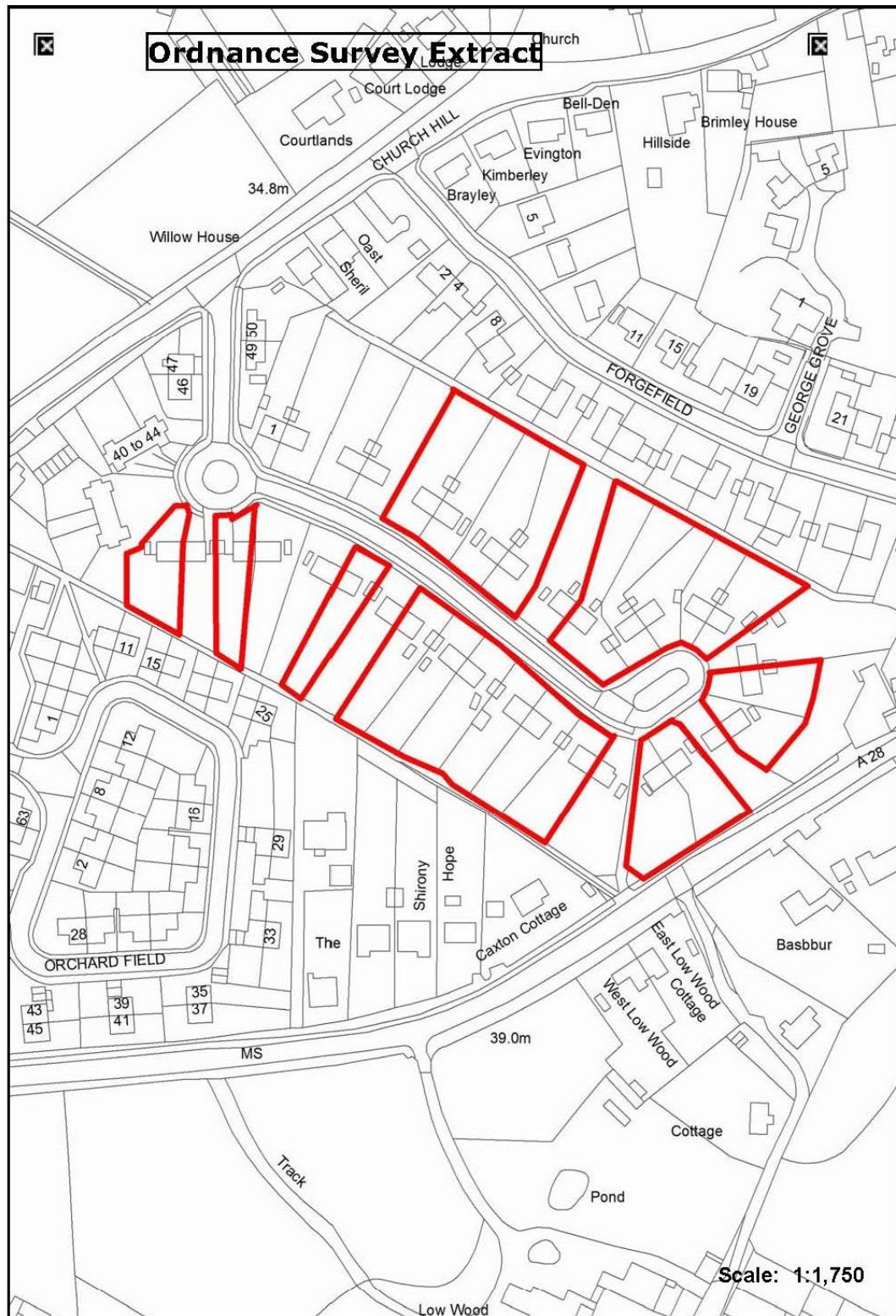
All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 17/00719/AS.

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Annex 1



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