

<b>Application Number</b>	17/00468/AS
<b>Location</b>	Purlands Paddocks, Pluckley Road, Charing, Ashford, Kent, TN27 0AG
<b>Grid Reference</b>	594915.7/149044.4
<b>Parish Council</b>	Charing
<b>Ward</b>	Charing
<b>Application Description</b>	Construction of one five bedroom dwelling
<b>Applicant</b>	Mrs S O'Sullivan c/o Agent
<b>Agent</b>	JPD Architecture Ltd, Tower Farmhouse, Faversham Road, Boughton Aluph, Ashford TN25 4HT
<b>Site Area</b>	0.09 hectares

(a) 12 / 3R                      (b) R                      (c) PO (Drainage) X

Re-consultation

(a) 14 / 2R                      (b) R                      (c) -

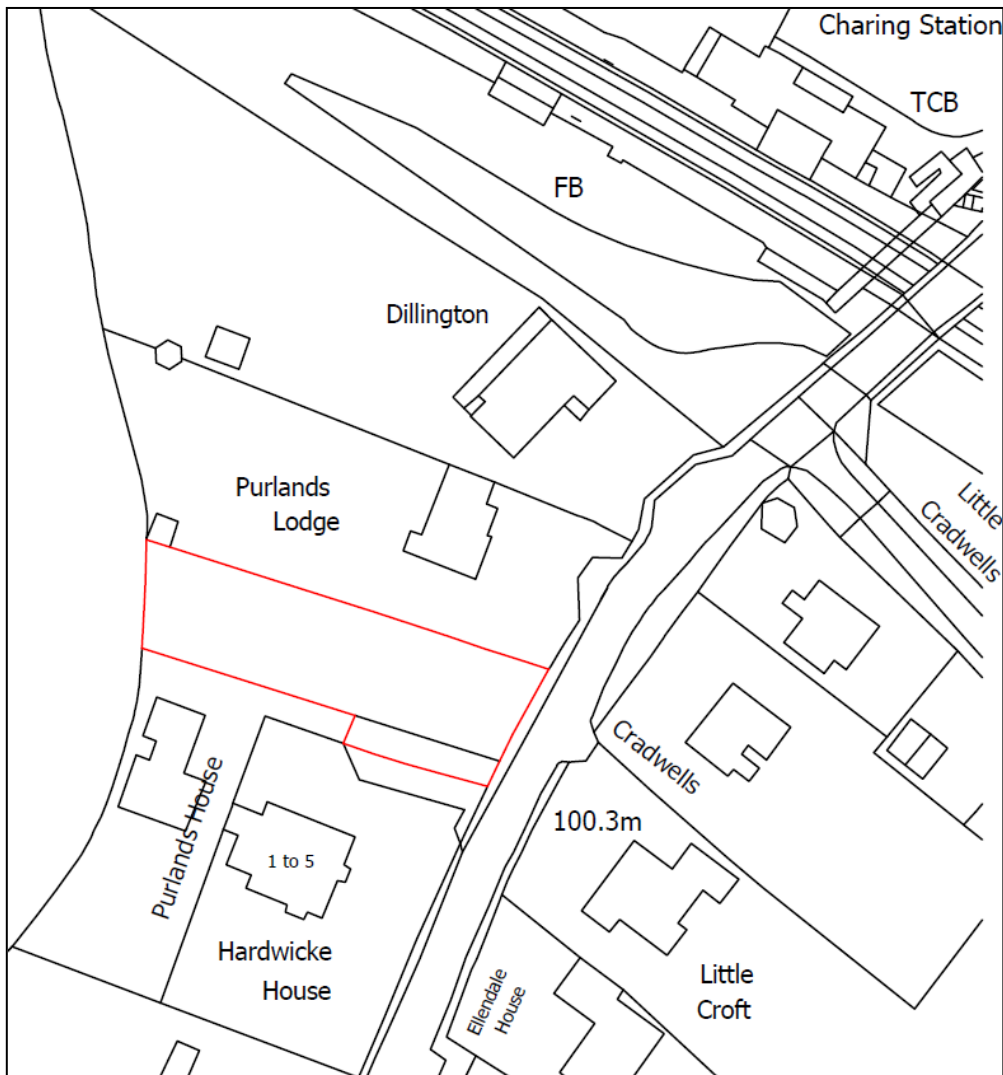
## Introduction

1. This application is reported to the Planning Committee because it has been referred by the Ward Councillor, Cllr Clarkson.

## Site and Surroundings

2. The site is an enclosed, elongated parcel of land on the western side of Pluckley Road. There is an access road to the south for Hardwick House (converted to flats) and Purlands House to the rear of this. The land is generally flat in contour and there are trees and hedges along the site boundaries and two larger trees to the front and rear of the site.
3. This section of Pluckley Road south, south east of Charing railway station comprises primarily a linear pattern of development with buildings set back and fronting the road. There has been some infill development as well.

4. The site is in the Charing Farmlands, Landscape Character Area and Groundwater Source Protection Zone 4 (usually represents a surface water catchment which drains into the aquifer feeding the groundwater supply).



**Figure 1: Site location**



From access road



View to Purlands Lodge



View of site from the rear



Frontage from Pluckley Road

## Proposal

5. A five bedroom detached dwelling with an attached double garage is proposed. The building would follow the forward building line of Purlands Lodge and comprise a two storey building with a rear projection and single storey element that would project forward along the shared boundary with Purlands Lodge. The roof form would comprise half hips with a gable end on the rear element and a chimney stack on the flank elevation.
6. The external walls would have red multistock brick at the ground floor, weatherboarding above and the roof would have clay tiles.



Figure 2: Elevations

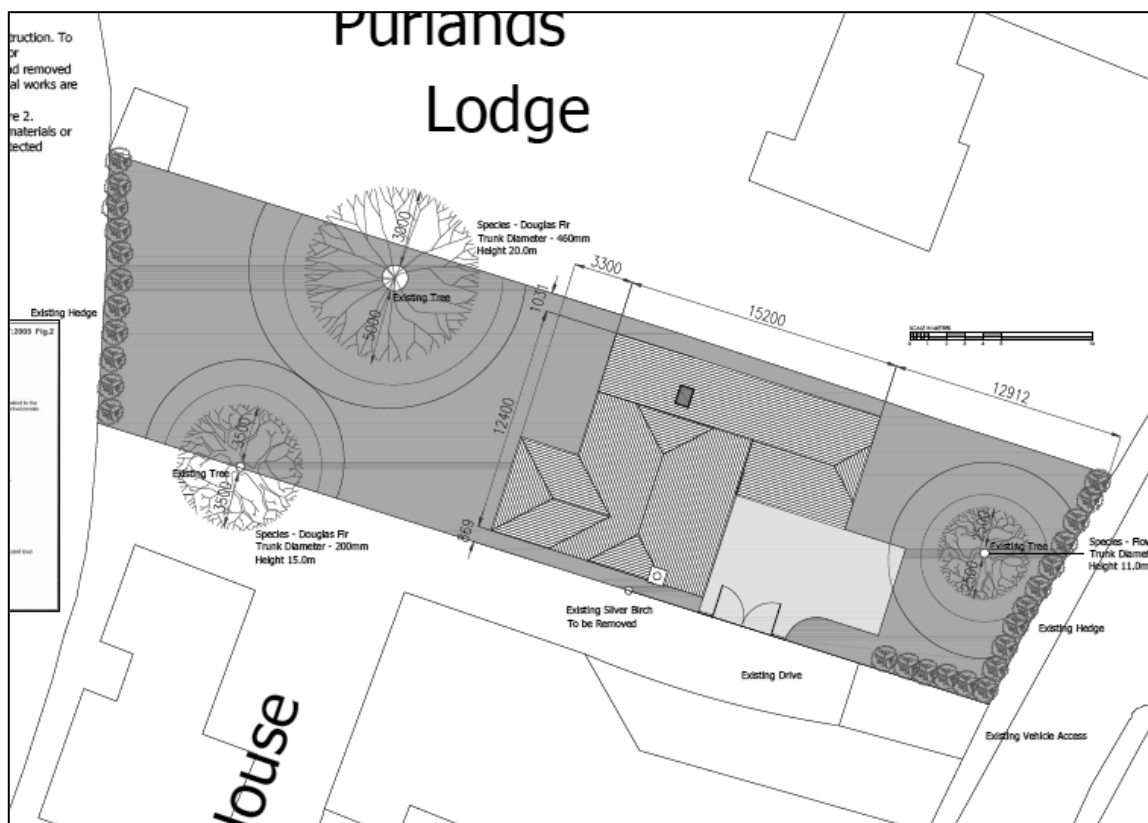


Figure 3: Site layout

7. The proposals would retain the larger trees to the front and rear of the plot with one Silver Birch tree near the proposed driveway to be removed.
8. The site would use the access to the south for vehicular access. There would be on site parking for two vehicles.
9. Amendments were secured during the course of the application as follows:
  - Half hips on both roof slopes
  - Inclusion of a porch
  - Window on the west elevation of the garage
  - Alterations to first floor windows on front elevation to service bedroom 2
  - Removal of two rooflights and remaining rooflight to be obscurely glazed

## Planning History

No relevant planning history.

## Consultations

**Ward Member:** The Ward Member is a member of the Planning Committee (ex officio).

**Charing Parish Council:** object and have raised the following matters:

- Overbearing impact
- Alternative scheme preferred

[HDSS&D comment: the Council can only consider the scheme before it]

**Project Delivery Engineer (Drainage):** no objection, due to the scale of development which is considered to be 'low risk'.

**Neighbours:** 12 neighbours were initially consulted and 14 neighbours were re-consulted on the amended plans. **5** representations to object were received.

The objections are summarised below:

- inaccuracies in application and plans  
  
[HHSS&D comment: a revised red line plan and plan showing trees was submitted and this has not been disputed by the Tree Officer ]
- access rights  
  
[HDSS&D comment: not a material consideration and a civil matter]
- noise and disturbance during construction
- boundary treatments
- risk/loss of trees  
  
[HDSS&D comment: the loss of trees prior to the submission of the application is not a material consideration]
- overbearing impact
- loss of privacy
- overdevelopment
- loss of a private view  
  
[HDSS&D comment: not a material consideration]
- overshadowing impact

## **Planning Policy**

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

**Ashford Borough Local Plan 2000**

EN12 - Private areas of open space

EN32 - Important trees and woodland

HG3 - Design in villages

**Local Development Framework Core Strategy 2008**

CS1 - Guiding principles

CS2 - The Borough Wide Strategy

CS6 - The rural settlement hierarchy

CS9 - Design quality

CS20 - Sustainable Drainage

**Tenterden & Rural Sites DPD 2010**

TRS1 - Minor residential development or infilling

TRS17 - Landscape Character and Design

**Local Plan to 2030**

SP1 - Strategic Objectives

SP2 - The Strategic Approach to Housing Delivery

SP6 - Promoting High Quality Design

HOU4 - Residential Development in the rural settlements

HOU12 - Residential space standards internal

HOU13 - Homes suitable for family occupation

HOU14 - Accessibility standards

HOU15 - Private external open space

TRA3a - Parking Standards for Residential Development

TRA6 - Provision for Cycling

ENV3 - Landscape Character and Design

ENV4 - Light pollution and promoting dark skies

ENV5 - Protecting important rural features

ENV7 - Water Efficiency

ENV8 - Water Quality, Supply and Treatment

ENV9 - Sustainable Drainage

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

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

Landscape Character Assessment SPD 2011

Residential Space and Layout SPD 2011 (now external space only)

Residential Parking and Design SPD 2010

Sustainable Drainage SPD 2010

Public Green Spaces and Water Environment SPD 2012

Dark Skies SPD 2014

Charing Parish Design Statement 2002

### **Informal Design Guidance**

Informal Design Guidance Note 1 (2014): Residential layouts & wheeled bins

Informal Design Guidance Note 2 (2014): Screening containers at home

Informal Design Guidance Note 3 (2014): Moving wheeled-bins through covered parking facilities to the collection point

### **Government Advice**

National Planning Policy Framework 2012

Planning Policy Guidance



Technical Housing Standards - nationally described standards

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:-
- Core planning principles
  - Chapter 4 - Promoting sustainable transport
  - Chapter 6 - Delivering a wide choice of high quality homes
  - Chapter 7 - Requiring good design
  - Chapter 10 - Meeting the challenge of climate change, flooding and coastal change

## **Assessment**

13. The main issues for consideration are:

- (a) Principle
- (b) Visual amenity
- (c) Residential amenity
- (d) Highways and parking
- (e) Trees and landscaping
- (f) Drainage

### **(a) Principle**

14. The Council does not have a five year supply of deliverable and available housing sites, as documented in the Annual Monitoring Report (AMR) (2015/16). Given the need for housing in the borough and the significant weight in the NPPF in terms of the delivering of a wide choice of high quality homes (paragraph 50), the provision of additional residential unit(s) is of benefit. Unless any adverse impact of the development significantly and demonstrably outweighs the benefits, then in view of a presumption in favour of sustainable development, permission should be granted.

15. Para. 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.” The Courts have also determined that policies that are “out-of-date” in the context of para. 49 does not mean that such policies should have no weight in decision-making. However, what it does mean in practice is that a reliance on the simple principles embodied in those policies cannot be relied upon to justify refusal.
16. The starting point is whether policies in the Development Plan comply with the NPPF and to consider the relative social, economic and environmental elements of a proposal as these are the three dimensions of ‘sustainable development’ described in para. 7 of the NPPF.
17. The site is unallocated for development in the draft Local Plan and is not in the SHELAA which forms part of the evidence base of the new Local Plan. However, it is within the ‘built confines’ of Charing as it would be surrounded by development and would continue the frontage in accordance with policy TRS1.
18. Policy TRS1 states:

“Minor development or infilling will be acceptable within the built-up confines of Tenterden and the following villages (includes Charing) providing the following requirements are met:

  - A) The development can easily be integrated into the existing settlement without the need to substantially improve the infrastructure or other facilities;
  - B) The proposal is of a layout, scale, design and appearance that is appropriate to the character and density of its surrounding area;
  - C) It does not result in the displacement of other active uses such as employment, leisure or community uses in the area; and,
  - D) The proposal would not result in the loss of public or private open spaces or gaps that are important characteristics of the settlement
19. The site has development on two sides and opposite; it would also use an existing vehicular access onto Pluckley Road and is also in proximity of the A20 providing reasonable access to services and facilities in Ashford. The site is 450m from the nearest bus stop which has an hourly bus service to Ashford and Maidstone and 100m from Charing railway station, with footways along the routes. There is a primary school, public house, playgrounds, open space,

playing field, GP surgery, churches, library, shops and parish hall in the village

20. The site is within the built confines and does not displace any employment, community or leisure uses. The site is also not an important gap that is important to the visual character of the settlement.
21. In light of the above the proposal complies with TRS 1 criteria a), c) and d). Criterion b) and other material conditions are set out in the remaining part of the report.

**(b) Visual amenity**

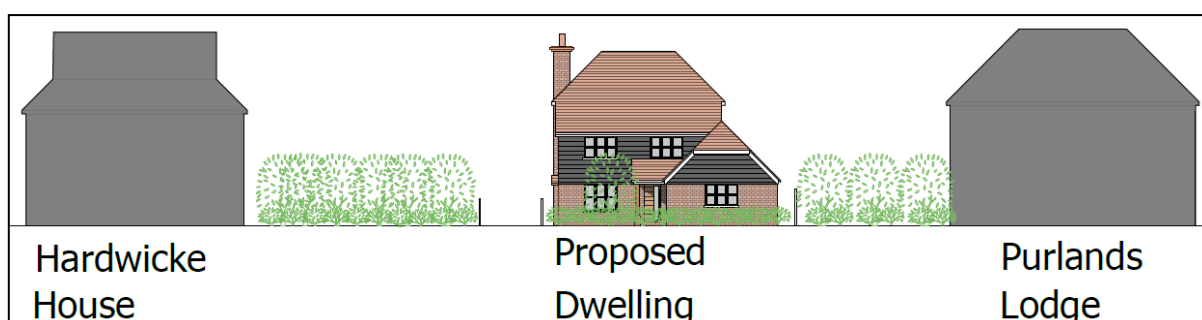
22. The site is located in the Charing Farmlands, the relevant key characteristics identified in the Landscape Character SPD are:
  - Recent development spreads out from the historic core of Charing
  - Use of local ragstone and flint within vernacular village centre of Charing
  - Infrastructure routes of the A20 and railway line
23. The site has a road frontage to Pluckley Road with mature hedges and a tree, this contributes to the verdant frontages along the road. The proposed dwelling would be set back 12.9m from the highway. Whilst the built form and roof would be visible from shorter range views from Pluckley Road and would infill a gap between the two adjoining buildings; this continuation of the built form would not be visually prominent and would complement this part of the village streetscape and retain the predominance of landscaping over the built form.
24. The maximum height would be 9.5m, however, given the set-back position from the road and as it would be no higher than the adjoining buildings this would not appear incongruous.

This is an elongated plot and the proposal would retain a gap of 0.87m to the access road where it would be two storeys in height and 1.0m to the side boundary of Purlands Lodge where it steps down to a single storey level. There is a very generous gap of at least 8.6m from the shared boundary to Purlands Lodge and the single storey nature of the built form would retain the spacious relationship. Hardwicke House is also set in from the boundary to the access road and whilst the two storey form extends for 12.0m, the separation distance would respect the gaps between buildings.

25. The proposal would follow the local grain of development with gaps to boundaries, steeply pitched roof and a chimney. The palette of materials including brick and plain clay tiles are also locally distinctive. No details of the proposed weatherboarding have been provided, the Charing design statement suggests that this is painted white or allowed to age naturally. Therefore, further details of this can be secured by condition.
26. Therefore, this infill development would respect the context of development in the vicinity and would not be harmful to the visual amenity of the streetscene as it would maintain the predominance of landscaping.

**(c) Residential amenity**

27. The proposal would result in an increase in the built form, the impact on the adjoining buildings is assessed below:



**Figure 4: Streetscene**

*Purlands Lodge*

28. This is a two storey, detached property. There are two, side facing first floor windows, the rooms these serve are dual aspect. There would be a gap of 9m from the flank wall of Purlands Lodge to the proposed dwelling and as the building would step down to a single storey level, so there would be no harmful overbearing impact.
29. There would be one rooflight on the roofslope, the cill level would be less than 1.7m from the finished floor level and is shown to be obscurely glazed. As the rooflights would be in the eaves where the head height would not be above 1.5m, this would reduce overlooking in conjunction with the separation distance, although an opening limiter shall be secured by condition to ensure that there is no undue overlooking given the change in relationships.

*Hardwicke House*

30. There is a gap of 15.8m from the two storey flank wall of the proposed dwelling to Hardwicke House. This is a significant gap to prevent any

overshadowing impact and the hedge (approximately 3.0m in height) on the other side of the access road would reduce a loss of privacy to the communal garden from the two side facing windows, at the first floor level.

*Purlands House*

31. The two storey element with garage below would 5.6m from the shared boundary that forms the rear garden of the proposed development. The rear facing windows would have an oblique angle view of the driveway to Purlands House and the retained tree on the boundary would also provide screening. Given the separation distance and juxtaposition, there would be no adverse impact in terms of loss of privacy and overbearing impact.
32. The proposed construction works would engender a degree of noise and disturbance, however, this would be for a limited period and there are safeguards under other legislation should there be any nuisance caused.
33. With regard to the amenity of future occupiers, the proposed dwelling complies with the Nationally Described Space Standards and the Council's residential space standard in terms of garden size. Good living conditions for future occupiers would thus be achieved in this new dwelling.

**(d) Highways and parking**

34. The proposed dwelling would have five bedrooms. According to the Council's adopted Parking Standards SPD, this should provide two off road parking spaces. The proposal would meet this requirement on the driveway and provide garaging as an additional resource.
35. Storage of bins and cycles is not shown. Cycles could be stored in the garage and there is space within the curtilage for bins. On collection days the bins could be presented at the kerbside for collection, this would be similar to existing dwellings.

**(e) Trees and landscaping**

36. The applicant has identified the trees and hedges to be removed and retained on drawing no. JPD/020317/02 rev B. The Silver Birch Tree to be removed along the boundary of the access road, this tree can be seen from the road, however, it is not a high quality specimen and as all the other coverage along the boundaries would be retained this would be acceptable.
37. The tree protection details have been assessed by the Council's Tree Officer and he is satisfied that this would ensure that the root protection areas (RPAs) of the retained trees are protected during construction. The Douglas Firs to

the rear of the building would not result in any significant shading due to gap to them and can be retained in the long-term.

38. The applicant has shown that the trees would be retained with tree protection measures that are in accordance with BS 5837:2012 Trees in relation to design, demolition and construction, this is satisfactory to ensure the visual amenity of the area and protection of the trees during construction.
39. The applicant has stated close board fencing would be used along the boundaries and entrance gates. To ensure that these would complement the rural environment, further details can be provided by condition, including a hedge in front of this to soften the appearance.

**(f) Drainage**

40. Limited information has been submitted on the discharging of surface water, however, there is the potential for soakaways and water butts on downpipes to offset the proposed increase in surface water runoff.
41. It is noted that there is no foul sewer located in the area, and a treatment plant is proposed. This is likely to be the method of servicing the existing development in the area and can be controlled by condition and legislation of the Environment Agency.

## **Human Rights Issues**

42. 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**

43. 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

44. The proposal would comply with Policy TRS1 as it would amount to infilling in the built confines and the design and layout would respect the context of development in the surrounding area.
45. The proposal would not result in material harm to neighbour amenity and would achieve a quality living environment for the future occupiers. It raises no highway safety issues or any other planning issues.
46. The proposal would be sustainable development in accordance with the Development Plan and NPPF and would result in the delivery of an additional residential unit. Therefore, it is recommended that planning permission is granted.

## Recommendation

### Permit on the following grounds:

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. No development shall commence until details of drainage works, designed in accordance with the principles of sustainable urban drainage, have been 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.

3. No development shall commence until protective fencing has been installed to safeguard the root areas of the hedges and trees in accordance with drawing number JPD/020317/02 rev C, to protect their root areas from construction damage. It should be boarded out at ground level in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and construction." No level changes, service routings, materials storage, site traffic, building operations, storage, excavations, or other works shall take place within these protected tree root areas. The tree protection measures and arboricultural method statement specified on the approved plan shall be complied with and maintained for the course of the proposed works.

**Reason:** To protect and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees.

4. Prior to the first occupation of the development hereby approved full details of boundary treatments, including:

a) elevations of the boundary fencing along the access road including native hedging in front of this with the species, height and density specified

b) elevations of entrance gates

shall be submitted to and approved in writing by the Local Planning Authority;

The approved boundary treatment scheme shall be provided in the first planting season following the occupation of the development or the completion of the development, whichever is the sooner and shall be thereafter maintained.

**Reason:** To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

5. All existing trees, hedges or hedgerows along the site boundaries shall be retained, unless shown on the approved drawings as being removed.

Any parts of hedges/hedgerows trees or plants which within a period of five years after planting or following first occupation of the development are removed, die or become seriously damaged or diseased in the opinion of the Local Planning Authority shall be replaced in the next available planting season or sooner with others of similar size, species and number, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interest of visual amenity and retaining boundary features.

6. Prior to the commencement of development details for the on site disposal of sewage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

**Reason:** To avoid pollution of the surrounding area.

7. Prior to the commencement of development (excluding ground works) written details including source/ manufacturer, and/or samples of materials to be used externally including colour and finish weatherboarding shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using the approved external materials.



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

8. Prior to first occupation the vehicle parking spaces and turning areas shown on the drawing number JPD/020317/02 rev C shall be provided and 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) Order 2015 (as amended) (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 the reserved parking space.

**Reason:** To ensure parking provision is maintained and prevent any obstructive parking.

9. The rooflight on the northern roofslope, serving the en-suite bathroom, as shown on the approved drawing JPD/020317/04 rev C, hereby permitted shall be glazed with obscured glass which shall be fitted with an opening limiter of 200mm. This shall be maintained as such at all times other than for the purposes of window cleaning or as a means of escape.

**Reason:** To safeguard the amenities of residential neighbouring properties.

10. 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.

11. 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 applicant/agent was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit amendments to improve the design of the building, show tree protection details and revise window details to maintain neighbour amenity.
- 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](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 17/00468/AS.

**Contact Officer:** Kelly Jethwa

**Telephone:** (01233) 330589

**Email:** [kelly.jethwa@ashford.gov.uk](mailto:kelly.jethwa@ashford.gov.uk)

