

Application Number	17/01638/AS				
Location	112 Beaver Road, Ashford, Kent, TN23 7SR				
Grid Reference	00851/41716				
Parish Council	South Ashford				
Ward	Norman (Ashford)				
Application Description	Change of use from C3 dwelling house to 'sui generis': an on-site managed short stay accommodation where no significant element of care is provided including erection of a bin store to front of site and replacement windows				
Applicant	Mrs S Williams, Head of Housing, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL				
Agent	Mr D Scarsbrook, Project Delivery Team, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL				
Site Area	0.04ha				
(a)	30/2R 1S	(b)	-	(c)	ESM/X, Street Scene/+, Housing/+

Introduction

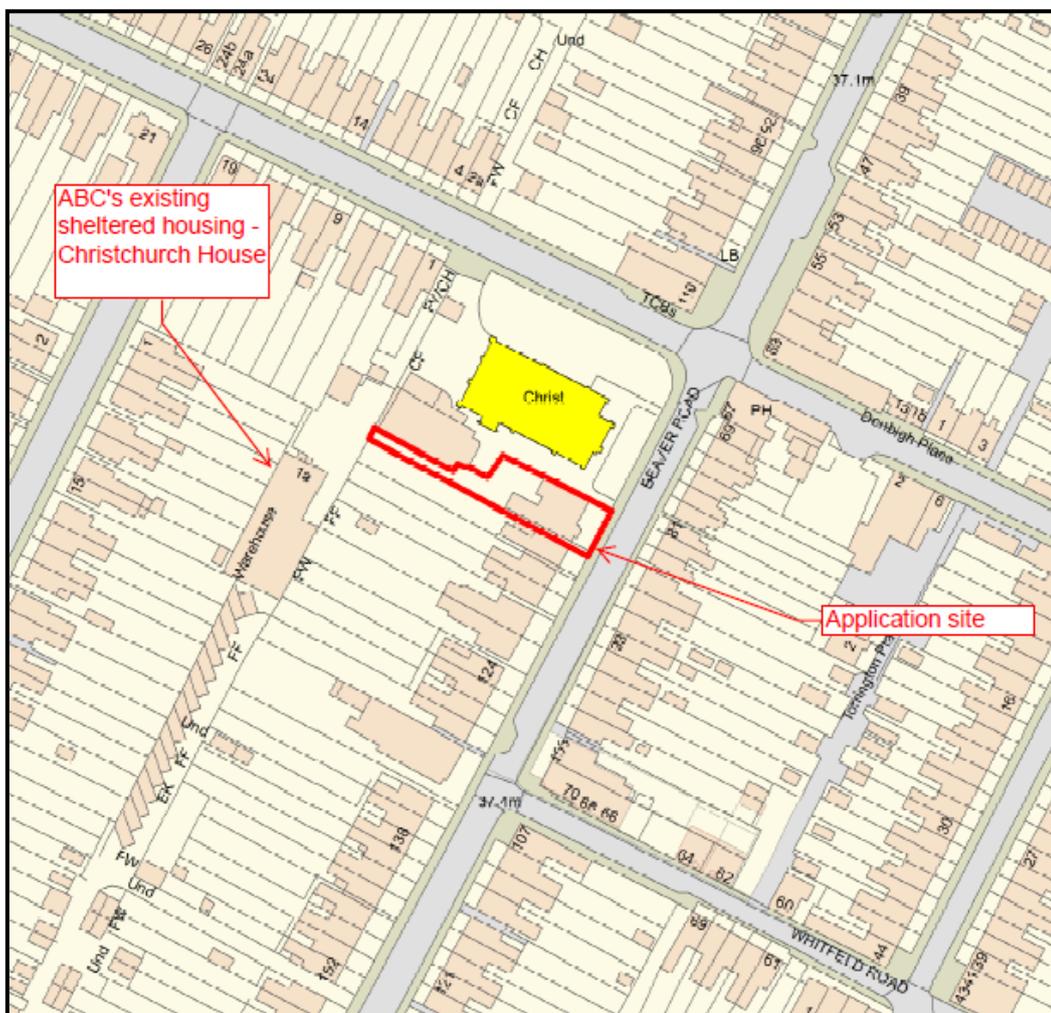
1. This application is reported to the Planning Committee because the site is owned by Ashford Borough Council and the applicant is Ashford Borough Council Housing Services.

Site and Surroundings

2. The application site comprises a 0.04 hectare site which comprises a three storey Victorian detached dwelling house which was formerly the Vicarage serving the neighbouring Christchurch Church. The site does not benefit from any vehicular access or associated parking.
3. The site lies within the built confines of Ashford and is approximately 0.8KM from the town centre. The building is set up from the road behind an existing stone wall which also encloses the neighbouring church. The neighbouring

church 'Christ Church', is situated on the corner of Christchurch Road and Beaver Road and is a grade II listed building.

4. The application building is visible from the road given its elevated position, and is situated within a street scene characterised by predominately residential properties and a number of retail premises and local amenities. To the rear of the site and adjacent to the church is a church hall/community centre, which runs regular support groups and community events. This benefits from its own parking and turning area.



5. An area site location plan is attached as an annexe to this report.

Proposal

6. The application seeks full planning permission for the change of use of the existing dwelling house to short stay accommodation. The accommodation is not to be self-contained but is to be used by the Local Authority to provide short-term residential accommodation to house homeless families whilst they await permanent placement. The aim is that families would stay for no more than 6-18 weeks. It is proposed that the rooms will be offered primarily to households with children. The building would be occupied by a maximum of 23 occupants when at full capacity.
7. 8 bedrooms would be provided within the building, all of which would have either en-suite shower rooms or toilet facilities. There would be communal kitchen/dining facilities within the building.
8. There is not proposed to be any increase in the footprint of the building but internal modifications are proposed to facilitate the change of use. These do not require the benefit of planning permission. External changes are also proposed including the replacement of the existing windows with more efficient and modern replacement PVCu windows which will match the existing including sashes to the front elevation.
9. Alterations are proposed to the front garden area to facilitate external bin storage within an area behind the existing front wall, which is to be retained. The boundary treatments will be updated.
10. In house management and an allocated Council Officer will have access to rooms at all times for visits and checks to be carried out. Additional measures including CCTV monitoring of communal areas, internally and externally will be linked back to the Council's central monitoring centre. This will ensure that this is a secure and well operated site. Out of hours emergency issues will be covered by the Housing Options Officer through the Council's Monitoring Centre based at the Civic Centre.

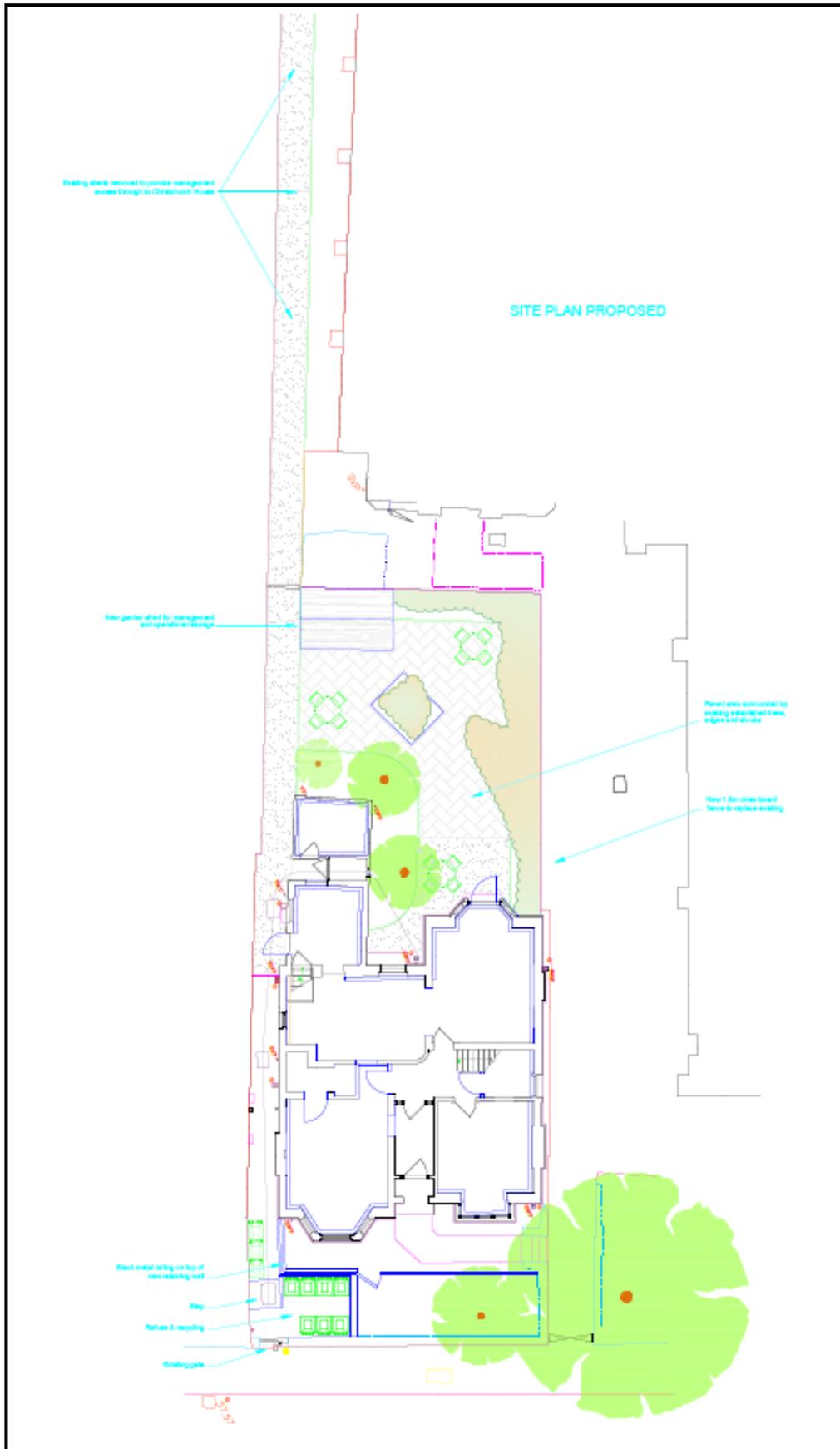


Figure 1 - Proposed Site Layout

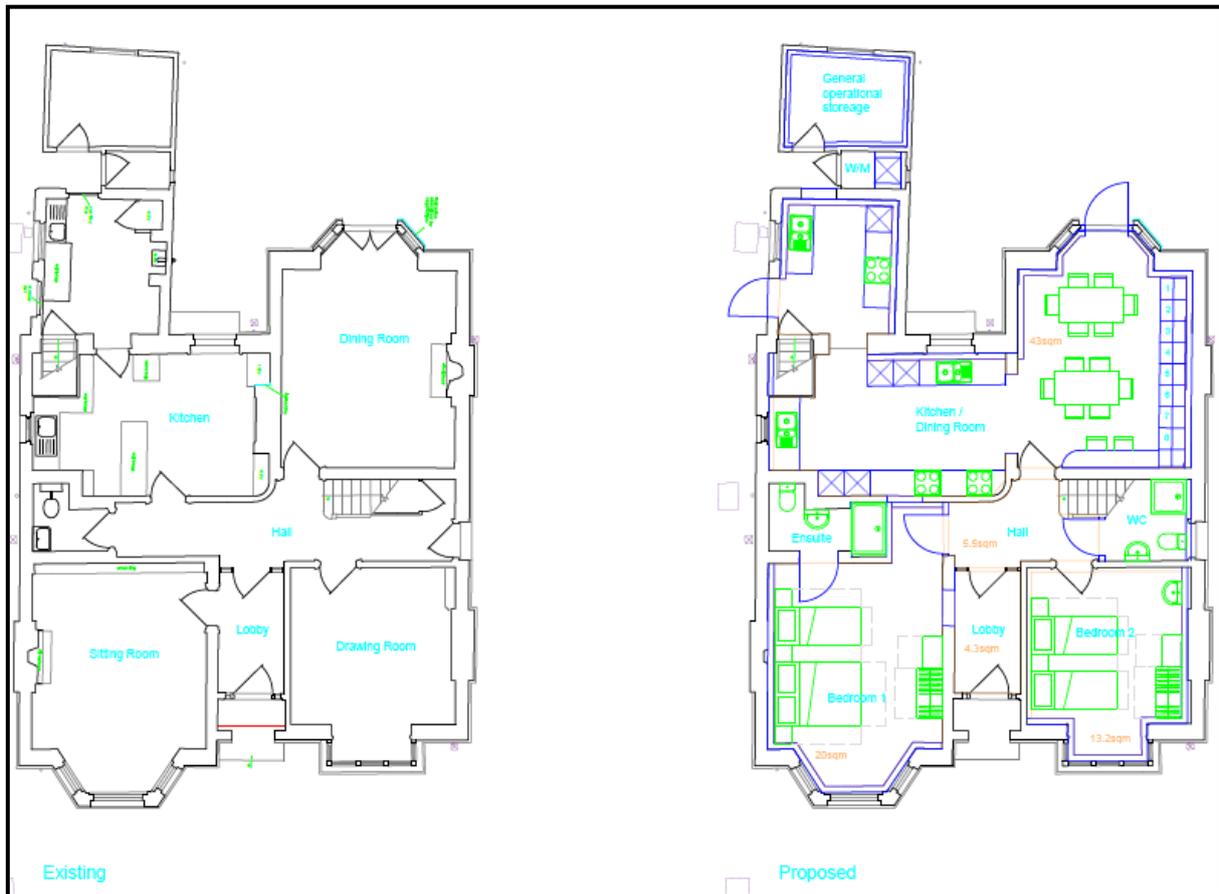


Figure 2 - Existing and Proposed Ground Floor Plans

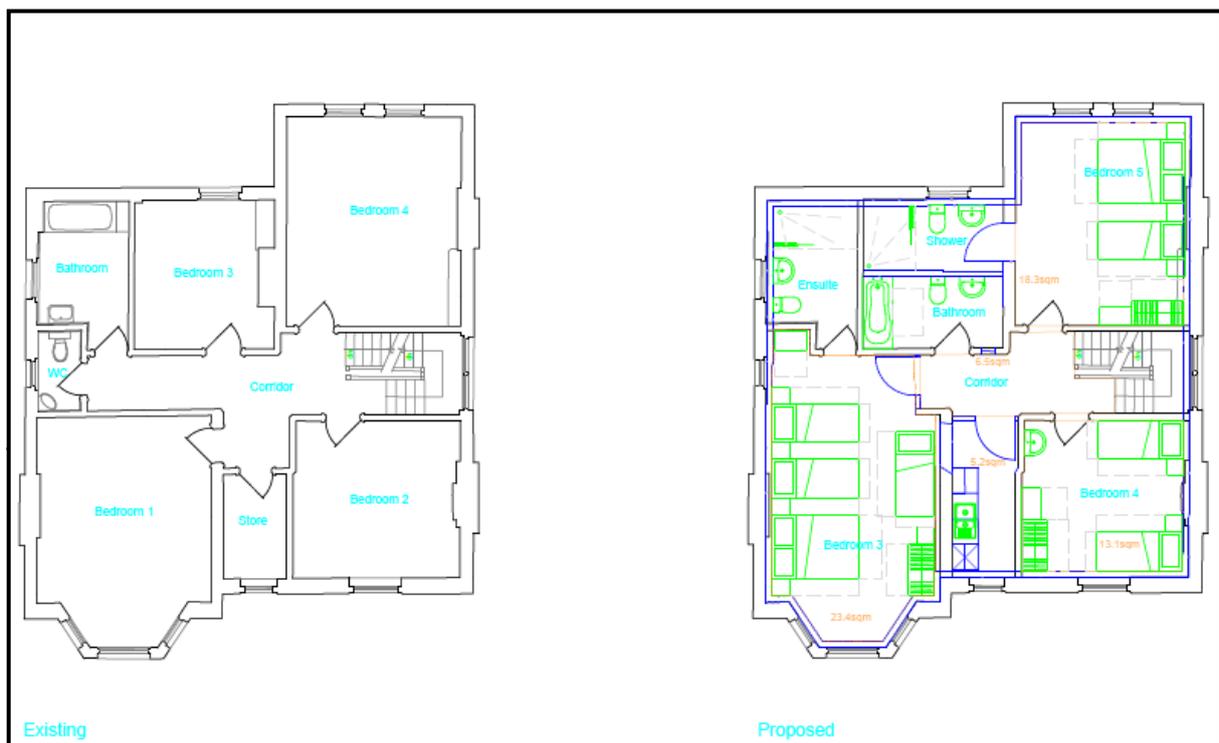


Figure 3 Existing and Proposed First Floor Plans

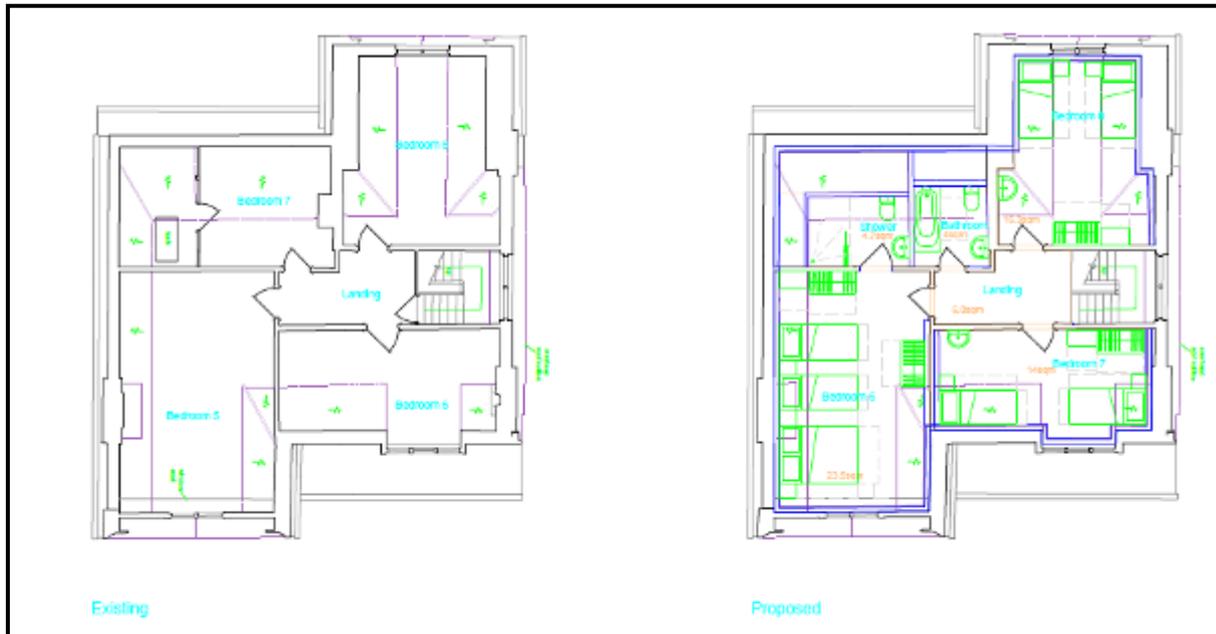


Figure 4 - Existing and Proposed Second Floor Plans

Consultations

Ward Member: Councillor Webb is not a member of the Planning Committee and no comments have been received in respect of the application.

ABC Private Sector Housing: consulted; raise one of the bedrooms falls below the Kent standard for HMO accommodation in its submitted form given the number of bedrooms. The accommodation at second floor may also fall below the required standard for an HMO.

Environmental Services Manager: consulted; raise no objection subject to conditions restricting the hours of construction. Welcome the potential for insulation within the building to safeguard against noise transmission internally between rooms.

Refuse: general comment relating to the refuse storage area to the front of the property. This is located in a suitable position for bin storage and for the number of proposed occupants. There is concern regarding the security of the store and the potential for misuse which could be overcome through security measures. **[JDCM comment:** The proposed refuse storage area is located to the rear of the existing front wall of the property. Due to the location of the bin store, (which can be secured by condition) the proposed 1100 litre bins would not be readily visible from the road. However, as the facility is to be managed by the Council, should any issues of misuse arise, this could be resolved by using methods such as lockable bins or other alternative solutions.].

Neighbours: 30 neighbours consulted; 1 support comment received with regards the following:

- The refurbishment of the site is long overdue
- The opportunities offered serve an urgent need in the local area and is in keeping with the Christian values inherent in the site's history.
- I look forward to seeing the house maintained for the benefit of young families and occupied to its full capacity.

2 objection comments received with regards the following:

- There is already a high concentration of single rented rooms in the area.
- People do not care about their surroundings or people within it.
- Police have had to be called in the past due to people urinating in our front garden.
- People consider that our bins and front garden area for the benefit of all.
- Homeowners tend to take more pride in their surroundings in an effort to keep things tidy.
- There is no longer any community spirit in the road or neighbourly cohesion.
- There is not enough parking to the rear of the church or on Christchurch or Beaver Road.
- If approved will local people be told what sort of residents would be housed here [**JDCM comment:** this is to be used only as short term accommodation for young families who are currently seeking permanent residential accommodation].
- The bin store to the front of the house would be on full view and change the visual impact.
- The house was given to the railway workers of South Ashford in perpetuity, so we question whether the sale of the property was ever legal [**JDCM comment:** this is a legal matter and not a planning issue]
- Any further HMO residences are not allowed and should not be in a street of family houses.
- We are the adjoining property [No 114] and will be uniquely affected by the proposal:

- Security and privacy as a result of the proposed management access route. It is unclear about the number of gates that are proposed [**JDCM comment:** this is only proposed to be used by members of staff and only staff will have access to a key for the secured gates between Christchurch House and the site. The existing gate at the front between the property and No 114 is to be locked and is to remain locked]
- It is unclear whether the access to the side of No 112 will be accessible by residents given the position of the bins.
- If residents use the parking area at Christchurch House they should access the property via Christchurch Road.
- The proposed fencing to ensure good neighbourly relations includes a trellis on top of the existing brick wall which would not be satisfactory as it provides no privacy. These were previously acceptable as the dwelling was only occupied by a single family.
- The existing path only serves the existing shed within the site.
- We spend a lot of time in our garden and would not wish to have a loss of privacy as a result of an open fence
- The garden levels of 112 and 114, change from the front to the rear of the site
- There is an intention to clear trees within the garden [**JDCM comment:** these trees are not protected. The removal of some of the existing vegetation would enhance the external amenity space which is currently unkempt.]
- Whilst there is parking available at Christchurch House, the lack of on site parking will worsen the current situation for local residents.

Planning Policy

13. 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 ended. The plan has now been submitted for examination which is likely to take place later this year. As such the policies can now be afforded limited weight.

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

Local Development Framework Core Strategy 2008

CS1 – Guiding principles to development

CS9 – Design Quality

CS13 – Range of dwelling types & sizes.

Urban Sites Development Plan Document 2012

U0 - Presumption in Favour of Sustainable Development

Ashford Local Plan to 2030

SP1 – Strategic Objectives

SP2 – Strategic Approach to Housing Delivery

SP6 – Promoting High Quality Design

HOU11 – Houses in Multiple Occupancy

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

Informal Design Guidance

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

Government Advice

National Planning Policy Framework (NPPF) 2012

16. 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:-
17. Paragraph 14 sets out presumption in favour of sustainable development.
18. Paragraph 17 sets out the core planning principles including every effort should be made objectively to identify and then meet the housing needs of the

area; and always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; encourage the effective use of land by reusing land that has been previously developed (brownfield), provided that it is not of high environmental value; contribute to conserving and enhancing the natural environment, conserve heritage assets.

19. Section 6 sets out the need to deliver a wide range of high quality homes.
20. Section 7 sets out the need for high quality design.

Assessment

21. The main issues for consideration are:
 - The principle of the proposed development
 - Impact on visual amenity
 - Impact on residential amenity
 - Highway Safety

Principle of the development

22. The site lies within the built confines of Ashford approximately 0.8KM from the town centre with all of the facilities and amenities that it contains. The site also lies very close to bus stops and the domestic/international train station. The site is in a highly sustainable location.
23. The proposal would provide much needed short-term accommodation for homeless families. The scheme will help reduce the need to house homeless families in bed and breakfast accommodation, which is both expensive and impractical. It will also provide high quality short-term accommodation for those families most in need whilst a more permanent housing solution is sought. The proposal is therefore welcomed from this perspective and would complement the existing provision at Christchurch House to the rear which is of a similar size and also owned and run by the Council.
24. As such, subject to the other material considerations, an assessment of which follows below, it is considered that the proposed development is acceptable in principle.

Impact on Visual Amenity

25. The proposed development would not result in any physical changes to the existing dwelling, which would adversely impact upon the visual amenity of the

street scene. There are proposed to be changes to the boundary treatments, details of which shall be secured by condition. The proposed windows which replace the existing will be of a similar design and appearance, with the existing sash windows to the front elevation replaced with operational sashes.

26. It is clear that the proposed use and the number of potential persons on site at any given time could give rise to a proliferation of wheelie bins at the front of the property. However, the location of the proposed bin area to the front of the property within the application site, behind the existing boundary wall would overcome this issue and would address concerns, which have been raised by local residents regarding the impact of bin storage within the street scene. The proposed retaining wall area to the front would provide level access with the street and obscure the bins from public viewing. I consider there would not be any harm to the visual amenity of the street scene as a result.

Impact on Residential Amenity

27. As stated earlier in the report, the site lies within a predominately residential area. Boundary treatments between the site and the most immediate neighbouring property, No. 114 can be agreed and secured by way of condition and through negotiation with this neighbour. Concerns have been raised by the occupier of this neighbouring dwelling regarding loss of amenity through noise, disturbance and overlooking when in their garden. The new boundary treatments will ensure no overlooking. In terms of noise and disturbance, it is acknowledged that the new use is more intensive than the existing as a single dwelling however there would be a strong management regime in place as well as CCTV linked to the Council's monitoring centre. I do not therefore consider that the use would result in an unacceptable loss of amenity through noise and disturbance to the neighbouring dwelling. This is a view endorsed by the Council's Environmental Services Manager who has raised no objection to the scheme. A condition restricting working hours will protect the amenity of local residents whilst the alterations to the building take place in order to accommodate the proposals.
28. In terms of the residential amenity of future occupiers, this would provide short term accommodation to meet the needs of homeless families and reduce the need to temporarily house families in bed and breakfast accommodation. The room sizes either meet or exceed National and Kent HMO Amenity Standards other than room 8 initially, on the first floor, which has subsequently been amended to overcome this concern so that it now complies (reduced from a 3 person room to a 2 person room). The residents would have access to the external amenity space. The ground floor accommodation is to be designed to accommodate wheelchair access. The standard of accommodation proposed is good and as such residents of the development will have acceptable levels of amenity.

29. There are no additional windows proposed which would alter the current situation in respect of openings, which could otherwise result in overlooking of neighbouring properties.

Impact on Highway Safety

30. The proposal is effectively for a large HMO. Whilst it cannot be assumed that occupiers will not have cars it is unlikely that many will. The accommodation is for a maximum of 8 families at any one time. The site is located within a sustainable location in close proximity to public transport and within walking distance of the Town Centre. Cycling parking will be provided and can be secured by condition. The neighbouring site, Christchurch House (also within the Council's ownership and providing the same type of short stay accommodation), benefits from 12 off road parking spaces and turning for vehicles. There is a direct link between the 2 sites and so any vehicle parking generated by this development could be accommodated at Christchurch House if needed.
31. In light of the above, I am satisfied that the proposal raises no highway safety issues.

Human Rights Issues

32. 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

33. 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

34. The proposal will provide much needed short-term accommodation for homeless families to meet an identified need in the Borough. The site lies in a sustainable location well served by public transport and local amenities. The site is suitable for the intended use.

35. There would not be any harm to the visual amenity of the street scene given the minor nature of the physical changes subject to conditions. The strong management regime which will be put in place with only short-term tenancy for families would not result in harm to the amenity of neighbours. Whilst no on-site parking is proposed, the scheme is adjacent to Christchurch House which benefits from off road parking and is also owned by the Council. The nature of the occupiers of the proposed accommodation would not generally have vehicles and given the proximity of the site to public transport and local services, it is unlikely that the proposed use would result in a significant adverse impact in respect of highway safety in the locality.

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 proposed windows to the front elevation, where replacing existing sash windows, shall be replaced with operational sash windows unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

4. Prior to the commencement of the development, details of walls and fences to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority. The walls and fences shall then be erected before the first use of the premises in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

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

5. The premises/site shall only be used for short stay residential accommodation with ancillary facilities 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.

6. Prior to the premises first coming into use, the approved bicycle storage shall be completed and shall thereafter be retained for the occupiers and visitors to the site.

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

7. Prior to the first use of the premises, the approved refuse storage area as shown on approved drawings TOV – 004 and TOV - 005 shall be provided in accordance with these details and be retained for the storage of refuse bins unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the street scene.

8. No construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

Reason: To protect the amenity of local residents.

9. 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.

10. 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,
- was provided with pre-application advice,
- the applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- 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 17/01638/AS.

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Annex 1



Ashford Borough Council



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