



PLANNING COMMITTEE

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on Wednesday, 9th August, 2023 at 7.00 pm.

The Members of the Planning Committee are:-

Councillor Blanford (Chair)
Councillor Heyes (Vice-Chair)

Cllrs. Betty, Brunger-Randall, Chilton, Gathern, Harman (ex-officio, non-voting), Ledger, McGeever, Mulholland, Nilsson, Roden, Spain and Walder

If any member of the public, Councillor or organisation wishes to submit any written, pictorial or diagrammatic material to the Planning Committee relating to any item on this Agenda, this must be **concise** and must be **received by the Contact Officer specified at the end of the relevant report**, and also copied to Planning.help@ashford.gov.uk, **before 3.00 pm on the second working day before the Meeting** so that it can be included or summarised in the Update Report at the Meeting, in the interests of transparency and fairness. Otherwise, the material cannot be made available to the Committee. Material should be submitted as above at the earliest opportunity and you should check that it has been received.

IMPORTANT INFORMATION FOR THE PUBLIC ABOUT THIS MEETING

This is a public meeting and the Council encourages everyone to take advantage of the opportunity to watch and listen to the proceedings at the Meeting via a weblink, which will be publicised on the Council's website at www.ashford.gov.uk about 24 hours before the Meeting.

Agenda

Page Nos..

1. **Apologies/Substitutes**

To receive Notification of Substitutes in accordance with Procedure Rule 1.2(c) and Appendix 4

2. **Declarations of Interest**

5 - 6

To declare any interests which fall under the following categories, as explained on the attached document:

- a) Disclosable Pecuniary Interests (DPI)
- b) Other Significant Interests (OSI)
- c) Voluntary Announcements of Other Interests

See Agenda Item 2 for further details

3. **Public Participation** 7 - 8

To be informed of arrangements made for public participation in the Meeting.

See Agenda Item 3 for details.

4. **Officers' Deferral/Withdrawal of Reports**

5. **Minutes**

To approve the Minutes of the Meeting of this Committee held on 5th July 2023.

[\(Public Pack\)Minutes Document for Planning Committee, 05/07/2023 19:00 \(moderngov.co.uk\)](#)

6. **Information/Monitoring Items** 9 - 22

Decisions Received between 1 January 2023 and 30 June 2023

7. **Schedule of Applications**

Note to Members of the Committee: The cut-off time for the meeting will normally be at the conclusion of the item being considered at 10.30pm. However this is subject to an appropriate motion being passed following the conclusion of that item, as follows:
"To conclude the meeting and defer outstanding items of business to the start of the next scheduled Meeting of the Committee".

(a) **21/1890/AS - Garages south-west of 1, Harper Road, Ashford, Kent** 23 - 38

Erection of 3 dwellings including associated parking and landscaping and the demolition of existing garages.

(b) **PA/2023/0714 - Court Wurtin, Beaver Lane, Ashford, Kent, TN23 5NH** 39 - 48

Provision of 1 no. residential/commercial waste and storage compounds; refurbishment of the stairwell to include new roof structure, render, and cladding, provided gated residential area. Proposed works to residential properties 24-30 to include PV panels, rendering, and changes to fenestration

(c) **PA/2023/0218 - 15 Warwick Road, Kennington, Ashford, Kent, TN24 9EH** 49 - 60

Proposed conversion of a 3-bedroomed house to No.2 self-contained 1-bedroomed flats

- | | | |
|-----|---|---------|
| (d) | PA/2023/0503 - 13, 15, 17 and 19, Mill View, Willesborough, Ashford, TN24 0EL | 61 - 76 |
| | Redevelopment of site to provide 4no dwellings and associated parking and landscaping, to replace previously demolished terrace of four dwellings following extensive structural damage | |
| (e) | PA/2023/0753 - 16 Village Way, Hamstreet, TN26 2HX | 77 - 86 |
| | Proposed single-storey rear extension with room in the roof, conversion of roof space with dormer to south elevation and roof-lights following demolition of existing conservatory. | |
| (f) | PA/2023/0905 - 6, Dragonfly Close, Singleton, TN23 5GH | 87 - 96 |
| | Proposed conversion of loft including new roof with dormers to front elevation & roof lights to rear elevation. Single storey rear extension following demolition of existing sun room. | |

Note for each Application:

- (a) Private representations (number of consultation letters sent/number of representations received)
- (b) The Parish/Town/Community Council's views
- (c) The views of Statutory Consultees and Amenity Societies (abbreviation for consultee/society stated)

Supports 'S', objects 'R', no objections/no comments 'X', still awaited '+', not applicable/none received '-'

Note on Votes at Planning Committee Meetings:

At the end of the debate on an item, the Chairman will call for a vote. If more than one motion has been proposed and seconded, the motion that was seconded first will be voted on first. When a motion is carried, the Committee has made its determination in relation to that item of business and will move on to the next item on the agenda. If there are any other motions on the item which have not been voted on, those other motions fall away and will not be voted on.

If a motion to approve an application is lost, the application is not refused as a result. The only way for an application to be refused is for a motion for refusal to be carried in a vote. Equally, if a motion to refuse is lost, the application is not permitted. A motion for approval must be carried in order to permit an application.

DS
31 July 2023

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Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees

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Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a Dispensation has been granted in advance, to speak and/or vote).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a Dispensation has been granted in advance, to participate in discussion and/or vote). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency or good governance reasons, such as:

- Membership of amenity societies, Town/Community/Parish Councils, residents' groups or other outside bodies that have expressed views or made representations, but the Member was not involved in compiling or making those views/representations, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

Note: Where an item would be likely to affect the financial position of a Member, relative, close associate, employer, etc.; OR where an item is an application made by a Member, relative, close associate, employer, etc., there is likely to be an OSI or in some cases a DPI. ALSO, holding a committee position/office within an amenity society or other outside body, OR having any involvement in compiling/making views/representations by such a body, may give rise to a perception of bias (similar to that arising when a Member has made his/her views known in advance of the meeting), and require the Member to take no part in any motion or vote.

Advice to Members on Declarations of Interest:

- (a) Government Guidance on DPI is available in DCLG's Guide for Councillors, at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution alongside the Council's Good Practice Protocol for Councillors dealing with Planning Matters. See <https://www.ashford.gov.uk/media/2098/z-word5-democratic-services-constitution-2019-constitution-of-abc-may-2019-part-5.pdf>
- (c) Where a Member declares a committee position or office within, or membership of, an outside body that has expressed views or made representations, this will be taken as a statement that the Member was not involved in compiling or making them and has retained an open mind on the item(s) in question. If this is not the case, the situation must be explained.

If in doubt about any matters that they may need to declare, Members should seek advice from the Corporate Director (Law and Governance) and Monitoring Officer, the Deputy

Monitoring Officer, or other Solicitors in Legal and Democracy as early as possible, and in advance of the Meeting.

Agenda Item 3

Summary of the Scheme of Public Participation for Planning Committee Meetings

1. **Written notice of a wish to speak at the meeting** (by means of either procedure below) **must be given, either to membersservices@ashford.gov.uk or on the Council's website at <https://secure.ashford.gov.uk/committeesystem/haveyoursay.aspx>, by 15:00 hours on the second working day before the meeting.**

Hence, for example, for meetings of the Planning Committee on Wednesdays:-

- (i) If there is no Bank Holiday on the Monday preceding the meeting, written notice must be given by 15:00 hours on the Monday.
- (ii) If there is a Bank Holiday on the Monday preceding the meeting, written notice must be given by 15:00 hours on the preceding Friday.
- (iii) If the meeting immediately follows the Easter Weekend, written notice must be given by 15:00 hours on Maundy Thursday.

2. Registering to speak at the meeting confers the right to either make a speech in **person or submit a speech to be read on your behalf by a Council Officer, as follows:**

- (i) on a first-come, first-served basis, **one speech in support of**, and **one speech against**, an item for decision, or
- (ii) as a duly-authorized representative of the Parish Council¹ or Community Forum affected by an item for decision.

3. Those who have registered to speak and wish a Council Officer to read their speech on their behalf must submit a copy of the speech to membersservices@ashford.gov.uk by 10.00 hours on the day of the meeting. The speech must be no longer than 400 words, and must be in English and in a 12-point non-italic sans-serif font (e.g. Arial); any text above 400 words will not be read out. No speech should contain personal data about individuals, other than the speaker's name and (if relevant) postal address. Late or incorrectly-presented copies of speeches cannot be accepted, but any registered speakers who do not submit their speeches as above may speak in person at the meeting as set out below

4. At the meeting:-

(i) Speakers who are **present in person** may speak to the meeting for a **maximum of 3 minutes** when called to do so. No speech should contain personal data about individuals, other than the speaker's name and (if relevant) postal address. Please note there is no ability to present any material such as photographs or diagrams at the meeting.

(ii) If speakers are **not present in person**, but had previously submitted speeches as above, their submitted speeches will be read to the meeting by a competent

¹ The term "Parish Council" includes Town Councils and Community Councils.

Officer for and on behalf of the speakers, at the normal times and in the normal order (subject to the Chairman's normal discretion).

IMPORTANT:

An Officer reading any speech on behalf of any speaker shall have discretion to omit/edit out any inappropriate language, information or statements.

If any defamation, insult, personal or confidential information, etc. is contained in any speech received from any speaker, and/or is read to the meeting by an Officer, each speaker accepts by submitting the speech to be fully responsible for all consequences, thereof and to indemnify the Officer and the Council accordingly.

Appeals Report

This is the latest information report summarising appeal decisions received between 1 January 2023 and 30 June 2023.

The Department for Levelling Up, Housing and Communities (DLUHC) set National Performance Indicators. These National Indicators specify that no more than 40% of appeals against the Council's refusal of planning permission should be allowed. Overall, 30.0% of appeals were allowed within the reported timeframe and so, the Council currently sit well within the required threshold.

Data period: 01/01/2023 to 30/06/2023

Decision	Number of appeals	Percentage
Withdrawn	2	10.0%
Dismissed	12	60.0%
Allowed	6	30.0%
Total	20¹	100.0%

The report identifies decisions made by the Planning Committee and highlights any decisions made contrary to officer's original recommendation.

Within the reported timeframe Planning Inspectors allowed one appeal (21/00627/AS – Land rear of 7 to 14, Harmers Way, Egerton) that was refused by Planning Committee contrary to officer's recommendation.

In cases where the Planning Inspector has allowed an appeal contrary to the Council formal decision, a summary of the Inspector's reasons for doing so have been provided.

Impact of nutrient neutrality on planning appeals

In July 2020, Natural England issued advice to the Council regarding the poor water quality at the Stodmarsh Lakes. This stipulated that qualifying developments within the Stour catchment area must achieve nutrient neutrality to ensure that there are no adverse effects on the protected habitats at the Lakes. As a result of the 'Stodmarsh issue', a number of developments have not been able to progress without identifying suitable nutrient mitigation.

The table below sets out broadly how housing appeals within the borough, which are affected by nutrient neutrality, are being determined. It also provides a comparison for housing appeals that are located outside the catchment area and are not required to achieve nutrient neutrality.

¹ Please note there are two developments which have been part allowed and part dismissed. Each part decision have been recorded separately.

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

Breakdown of housing appeal decisions compared by location within or outside the Stour catchment

Decision	Housing appeals within the Stour catchment	Housing appeals outside the Stour catchment
Allowed	0 (0%)	2 (50%)
Dismissed	2 (100%)	2 (50%)

Live planning appeals

As of July 2023, the Council are currently involved with 23 appeals on planning applications; and 7 appeals on enforcement notices. These figures relate to valid appeals, which have received a start date from the Planning Inspectorate. The table below presents this information by the different appeal categories, based on the format of the appeal.

Breakdown of current live appeals by format

	Written Representations	Hearings	Inquiries
Planning applications	18	4	1
Enforcement Notices	2	1	4

Appeals Summary

Table A: Appeals Allowed

#	Application reference	Location	Proposal summary	LPA Decision Level
1	20/01000/CO ND/AS	The Nutmeg Cafe, 51 High Street, Ashford, TN24 8SG	Discharge condition 3 (a),(b),(c),(d),(e),(f) (full details)	No decision made (Appeal on non-determination).
1 cont'd	<p>Stodmarsh N/A</p> <p>Brief Summary of Inspector's reasons The development proposed is part of a Grade II* listed building therefore the main issues for the appeal were regarding whether the details would preserve the listed building. Details submitted pursuant to discharging condition 3(a), 3(b) (stairs only), 3(c) and 3(d) were considered acceptable and undisputed. For the remaining conditions, the Inspector considered the details were sufficient to preserve the listed building and its special interest.</p>			
2	21/00627/AS	Land rear of 7 to 14, Harmers Way, Egerton, Kent	Erection of 13 dwellings together with all necessary infrastructure	Officer recommendation - approve Committee decision - refuse
2 cont'd	<p>This appeal resulted as a consequence of a committee overturn.</p> <p>Stodmarsh N/A</p> <p>Brief Summary of Inspector's reasons</p>			

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal summary	LPA Decision Level
			<p>The Inspector considered that there were two main issues for the appeal – whether the proposed development would be in a suitable location and the effect on the character and appearance of the surrounding area.</p> <p>The Inspector considered that even when considered alongside the Local Plan site allocation and current applications that are supported in the Neighbourhood Plan, the development would be compatible with the overall housing strategy for the borough, and that the scale of development would be commensurate to the services available in Egerton. Overall, the development would accord with Local Plan Policies HOU5 (<i>Residential windfall development in the countryside</i>) and SP2 (<i>The Strategic Approach to Housing Delivery</i>).</p> <p>The Inspector noted the pleasant, green setting of the appeal site and that the proposal would change the existing character of the currently undeveloped site, but concluded that the site is not within one of the key views and vistas set out in the Egerton Neighbourhood Plan and the housing would not be unduly dominant given their context. Therefore it was considered that the proposed development would not harm the character and appearance of the surrounding area.</p> <p>The Inspector noted that the Council was unable to demonstrate a five year housing land supply, which had been affected by the impact of nutrient neutrality, but noted that the delivery of 13 homes in the borough would positively contribute towards addressing the shortfall.</p> <p>Overall, the Inspector concluded that the development was in accordance with the Development Plan and the appeal was allowed.</p>	
3	21/00478/AS	Honeysuckle Cottage, Bethersden Road, Woodchurch, Ashford, TN26 3PU	Proposed replacement dwelling with detached garage	Delegated refusal
3 cont'd	<p>Stodmarsh N/A</p> <p>Brief Summary of Inspector's reasons</p>			

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal summary	LPA Decision Level
	<p>The Inspector considered that the main issue was the effect of the replacement dwelling upon the intrinsic character and beauty of the countryside. As the footprint of the proposed dwelling was similar to the existing building, it was considered that the replacement dwelling and garage would not result in cumulative visual harm. Furthermore, the Inspector considered that the site was sufficiently screened by mature landscaping which reduced the visual impact on the street scene.</p> <p>As part of the appeal, the Inspector also removed a number of conditions relating to external lighting, provision of a rainwater butt, solar panels and removal of permitted development rights, as it was not considered that the conditions were necessary or that there was sufficient justification for the conditions.</p> <p>Overall, the Inspector concluded that the development would accord with Local Plan Policies SP1 (<i>Strategic Objectives</i>), SP6 (<i>Promoting High Quality Design</i>), HOU7 (<i>Replacement dwellings in the countryside</i>), ENV3a (<i>Landscape Character and Design</i>).</p>			
4	21/01672/AS ²	Frogs Hole Farm, Frogs Lane, Rolvenden, TN17 4QB	Two single storey rear extensions; new porch; erection of new partition walls; new window and changes to fenestration	No decision made (Appeal on non-determination).
4 cont'd	<p>Stodmarsh N/A</p> <p>Brief Summary of Inspector's reasons The appeal is allowed in part and dismissed in part. The appeal is dismissed in respect of the orangery and listed building consent is refused. The appeal is allowed and the listed building consent is granted in respect of the kitchen/dining extension and the front porch.</p>			

² This appeal has been allowed in part and dismissed in part. The appeal is dismissed in respect of the orangery. The appeal is allowed in respect of the kitchen/dining extension and front porch.

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal summary	LPA Decision Level
			<p>The Inspector concluded that the proposed extensions and front porch would have no appreciable visual impact and the original dwelling would not be significant affected.</p> <p>The Inspector then concluded that the proposal to add an ‘orangery’ to the rear of the older part of the building would appear incongruous and out of character with the 18th/19th century element. It would be clearly visible from the road, distracting and detracting from the simple appearance and heritage significance of the listed building. There is no public benefit that would outweigh the ‘less than substantial harm’ that would occur.</p> <p>Overall, the Inspector considered that the orangery would conflict with Local Plan Policies SP1 (<i>Strategic Objectives</i>), SP6 (<i>Promoting High Quality Design</i>), ENV13 (<i>Conservation and Enhancement of Heritage Assets</i>) and Rolvenden Neighbourhood Plan policies RNP1 and RNP3. Whereas the kitchen extensions and porch would not conflict with the development plan policies by conserving the architectural character and historic interest of the listed building.</p>	
5	21/01714/AS 3	Frogs Hole Farm, Frogs Lane, Rolvenden, TN17 4QB	Two single storey rear extensions; new porch	No decision made (Appeal on non-determination).
5 cont’d	Stodmarsh N/A		<p>Brief Summary of Inspector’s reasons</p> <p>The appeal is allowed in part and dismissed in part. The appeal is dismissed in respect of the orangery and planning permission is refused. The appeal is allowed and the planning permission is granted in respect of the kitchen/dining extension and the front porch.</p> <p>The Inspector concluded that the proposed extensions and front porch would have no appreciable visual impact and the original dwelling would not be significant affected.</p>	

³ This appeal has been allowed in part and dismissed in part. The appeal is dismissed in respect of the orangery. The appeal is allowed in respect of the kitchen/dining extension and front porch.

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal summary	LPA Decision Level
	<p>The Inspector then concluded that the proposal to add an 'orangery' to the rear of the older part of the building would appear incongruous and out of character with the 18th/19th century element. It would be clearly visible from the road, distracting and detracting from the simple appearance and heritage significance of the listed building. There is no public benefit that would outweigh the 'less than substantial harm' that would occur.</p> <p>Overall, the Inspector considered that the orangery would conflict with Local Plan Policies SP1 (<i>Strategic Objectives</i>), SP6 (<i>Promoting High Quality Design</i>), ENV13 (<i>Conservation and Enhancement of Heritage Assets</i>) and Rolvenden Neighbourhood Plan policies RNP1 and RNP3. Whereas the kitchen extensions and porch would not conflict with the development plan policies by conserving the architectural character and historic interest of the listed building.</p>			
6	20/01743/AS	Coldharbour Farm, Knock Hill, Stone, Tenterden, Kent, TN30 7JX	Provision of a mixed agricultural and tourism office, together with a single holiday let accommodation above to Barn B (Alternative scheme to Barn B approved under Planning Permission Ref: 10/01421/AS - Erection of 4 buildings for agricultural purposes)	Delegated refusal
6 cont'd	<p>Stodmarsh N/A</p> <p>Brief Summary of Inspector's reasons The Inspector's main issue for consideration was the effect of the proposed development on the character and appearance of the area, including the High Weald AONB.</p> <p>The Inspector considered that given the varied character of buildings across the wider site, the development would not cause harm or appear visually incongruous in this setting. Overall, the proposal would sit comfortably within the character of the wider site, and would conserve and enhance the landscape character. It was concluded that the</p>			

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal summary	LPA Decision Level
			development would comply with Local Plan Policies ENV3b (<i>Landscape Character and Design in the AONBs</i>) and EMP11 (<i>Tourism</i>). It was also considered that there was no conflict with the objectives of the AONB Management Plan.	

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

Table B: Appeals Dismissed

#	Application reference	Location	Proposal	Stodmarsh	LPA's Decision Level
1	22/00580/AS	71 Essetford Road, Ashford, Kent, TN23 5BP	Two storey side extension with pitched roof	N/A	Delegated refusal
2	20/00999/AS	The Nutmeg Cafe, 51 High Street, Ashford, TN24 8SG	Change of use from cafe (A3) to two separate dwelling houses (C3)	Y	No decision made (Appeal on non-determination).
2 cont'd	<p><u>Stodmarsh</u></p> <p>The appellant prepared a nutrient assessment but has not provided any details of mitigation. As the Inspector took the view that as the appeal was unacceptable on other grounds, there was no need for further consideration to be given to the provisions of the Conservation of Habitats and Species Regulations.</p>				
3	21/01799/AS	Crowbridge Cottage, Romden Road, Smarden, Ashford, Kent, TN27 8RA	Single Storey Oak Framed Orangery Side Extension [re submission of 21/00603/AS].	N/A	Delegated refusal
4	21/01800/AS	Crowbridge Cottage, Romden Road,	Single Storey Oak Framed Orangery Side Extension [re	N/A	Delegated refusal

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal	Stodmarsh	LPA's Decision Level
		Smarden, Ashford, Kent, TN27 8RA	submission of 21/00603/AS]		
5	PA/2022/2163	40, Foxglove Green, Willesborough, Ashford, Kent TN24 0RJ	Single storey rear extension-retrospective	N/A	Delegated refusal
6	21/01569/AS	Honest Miller, The Street, Brook, Ashford, TN25 5PG and Land between Tryfan and Willowcroft, Troy Town Lane, Brook	Proposed refurbishment of Public House, including extensions and fenestration alterations, provision of parking area and seating area with pergola. Conversion of Coach House into a Holiday Let and the erection of 4no. dwellings with associated parking, garaging, access, landscaping and	N/A	No decision made (Appeal on non-determination).

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal	Stodmarsh	LPA's Decision Level
			biodiversity enhancements		
6 cont'd	<p><u>Stodmarsh</u></p> <p>The appellant prepared a nutrient report which identified that 4.7 hectares of land would need to be converted from general cropping to woodland planting, however not site for this change of use was identified. As the Inspector took the view that as the appeal was unacceptable on other grounds there was no need for further consideration to be given to the provisions of the Conservation of Habitats and Species Regulations.</p>				
7	PA/2022/2563	78 Sir John Killick Road, Ashford, Kent TN23 3TF	Retrospective permission for insertion of garage doors to car barn - Resubmission of 22/00400/AS	N/A	Delegated refusal
8	21/01412/AS	Land north east of Beacon Farm Oast, Benenden Road, Biddenden, Kent	Erection of a New Detached Dwelling, together with associated Garaging, Parking, Landscaping and Biodiversity Enhancements	N/A	Delegated refusal

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal	Stodmarsh	LPA's Decision Level
9	21/01672/AS ⁴	Frogs Hole Farm, Frogs Lane, Rolvenden, Cranbrook, Kent, TN17 4QB	Two single storey rear extensions; new porch; erection of new partition walls; new window and changes to fenestration	N/A	No decision made (Appeal on non-determination).
10	21/01714/AS ⁵	Frogs Hole Farm, Frogs Lane, Rolvenden, Cranbrook, Kent, TN17 4QB	Two single storey rear extensions; new porch	N/A	No decision made (Appeal on non-determination).
11	21/01020/AS	Land at the junction of The Meadows and, Poplar Road, Wittersham	Erection of 7 dwellings and associated landscaping with	N/A	No decision made (Appeal on non-determination).

⁴ This appeal has been allowed in part and dismissed in part. The appeal is dismissed in respect of the orangery. The appeal is allowed in respect of the kitchen/dining extension and front porch.

⁵ This appeal has been allowed in part and dismissed in part. The appeal is dismissed in respect of the orangery. The appeal is allowed in respect of the kitchen/dining extension and front porch.

Information Report for Planning Committee – Appeal Decisions Received between 01 January 2023 and 30 June 2023

#	Application reference	Location	Proposal	Stodmarsh	LPA's Decision Level
			access from Poplar Road.		
12	PA/2022/2091	37 Queen Street, Ashford, TN23 1RF	Replacement windows and door to front of property	N/A	Delegated refusal

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Ashford Borough Council - Report of the Assistant Director - Planning & Development
Planning Committee 9th August 2023

Application Number	21/1890/AS
Location	Garages south-west of 1, Harper Road, Ashford, Kent
Grid Reference	Easting (x) 599848; Northing (y) 141937
Parish Council	Central Ashford
Ward	Beaver
Application Description	Erection of 3 dwellings including associated parking and landscaping and the demolition of existing garages.
Applicant	Assistant Director – Housing, Sharon Williams (ABC)
Agent	Ms. Asri Asra
Site Area	0.10 hectares (approx. 1000sqm)

Introduction

1. This application relates to an affordable housing scheme (3 dwellings) proposed by Ashford Borough Council.

Site and Surroundings

2. The site lies within the town of Ashford. It is located approximately 2.1 miles away from Ashford town centre. Occupying an area of approximately 0.1 hectares (ha), the site is bordered by Harper Road to the southeast, Little Knoll to the south, and existing residential developments to the northeast, north, and west.
3. The site consists of two sets of domestic garages, totalling 24 units, with 14 of them currently being rented. Access to the garages is provided directly from Harper Road. Additionally, there is a small section of the landscaped area to the south, where Harper Road intersects with Little Knoll. Public Right of Way footpaths are present, connecting Harper Road to the rear gardens of adjacent houses on Harper Road and Old Pond Road. These footpaths run along the northeastern and northwestern boundaries of the site.
4. A pair of flag and post bus stops are located approximately 160 and 190 meters west of the site on Arlington. The primary bus service stopping at these stops is the 'A' service, which operates between Ashford and Singleton. This service runs at a frequency of 4-6 times per hour from Monday to Saturday, with two services per hour on Sundays.
5. The nearest railway station is Ashford International railway station, situated approximately 1.6 km (a twenty-minute walk or a six-minute cycle) northeast of

the site. This station offers connections to London St Pancras International, London Victoria, London Charing Cross, Ramsgate, Margate, Eastbourne, and Dover Priory.

- 6. A site location plan is as shown in Figure 1 below.



Figure 1: Site Location Plan



Figure 2: Site Plan

Background and Proposal

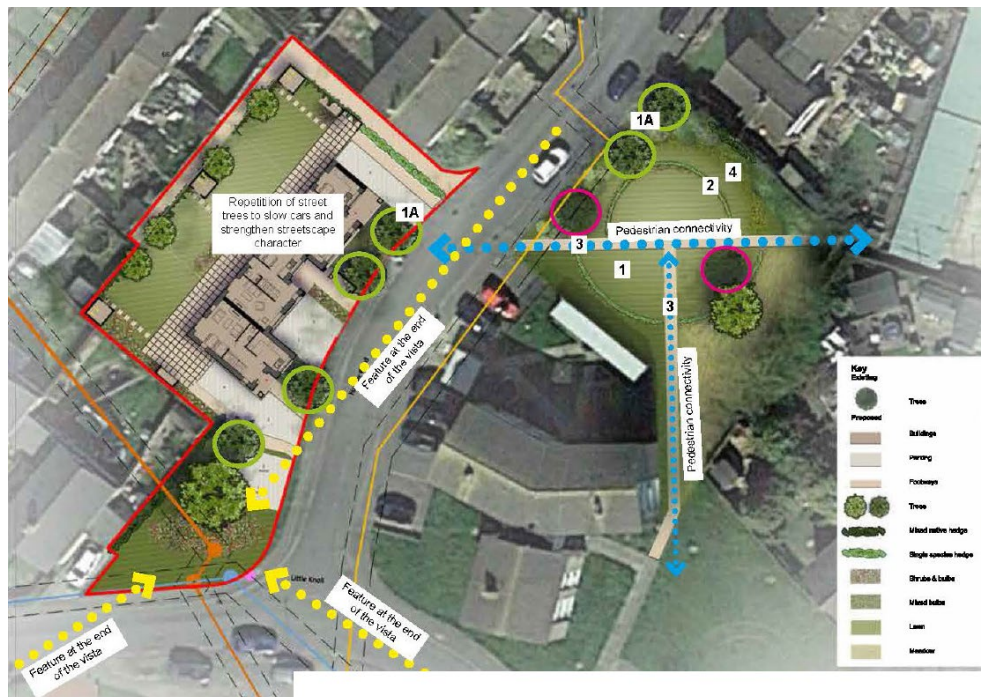
7. The Strategic Housing Market Assessment (SHMA), updated in January 2017, sets out a need for 368 new affordable dwellings per year. The SHMA indicates that there will be a shortfall in all affordable housing if reliant upon open market schemes delivery through planning policy, especially a large shortfall of social and affordable rented homes. Ashford is growing significantly and this will have a proportionate effect on the demand for affordable housing. It is understood that in October 2017, there were 1668 live households registered with an increasing level of applications each month. In conclusion, there is an identified need for affordable housing in Ashford.
8. The application seeks planning permission for the demolition of existing garages and the erection of 3 no. 2 bedroom dwellings. The intention is to provide 100% affordable housing. The proposed housing development would follow the existing urban pattern, consisting of a terrace configuration that fronts Harper Road. To optimise space and enhance the depth of rear gardens, the houses to the north of the site, where the plot narrows, are designed to be shallower, allowing for on-site parking. Additionally, tandem parking is proposed for the end terrace homes. The proposed dwellings would be finished in light and dark brickwork, composite windows, aluminium clad timber and plain tiled roofs.



Figure 3: Proposed Ground Floor Plan

9. Each dwelling would have dedicated parking spaces for two vehicles. Two visitor parking spaces would also be provided for the development. The refuse stores are constructed using brick with timber doors and roofs. They are placed discreetly on the sides of the two corner properties (Plot 01 and Plot 03), while for Plot 02, the refuse store is located at the front of the property.

- All rear gardens would have external access, with the back gardens of the three terrace houses being accessible from rear pedestrian pathways. The existing pathways along the northeastern and northwestern boundaries of the site would be retained. The existing tree to the south of the site would be removed whilst further landscaping is proposed for that corner of the site. Additionally, to compensate for the loss of the garages and the tree within the site, it is proposed to enhance and landscape the adjacent area of green with a view to maximise pedestrian connectivity to the second garage site.



- Finally, proposal incorporates installation of photovoltaic panels within the south and southeast-facing roofs of the houses. It would also make provision for 1 EV charging point for each dwelling.



Figure 4: First Floor Plan

12. It is understood that approximately 15 tenants currently occupying the existing garages would be relocated to an adjacent garage site to the northeast of the site, where approximately 25 vacant garages are available (as confirmed by the ABC garage survey).

Planning History

- The site has a history of use as agricultural land, until its development to domestic garages in the 1990s.
- The site does not have any relevant planning history.

Consultations

13. The application has been subject to formal statutory and non-statutory consultation comprising the display of a site notice, a press notice and notification letters sent to the properties in the vicinity of the application site.
- KCC Highways – no objection raised subject to conditions.
 - ABC Environmental Protection – no objection raised subject to conditions in relation to EV Charging, land or groundwater contamination, unexpected contamination and an informative in respect of construction hours.

Neighbours

37 letters of representations received objecting to the planning application and raising the following matters:

- concerned about the proposed density of the houses
- could lead to overcrowding, strain on existing infrastructure, and a detrimental impact on the quality of life for residents.
- Invasion of privacy
- Overlooking
- Concerned about the proposed location of the new garage being far away and unsafe due to frequent break-ins.
- Worries about houses being built at the bottom of their garden, compromising privacy and sunlight.
- Highlighting persistent problem of cars parked on the path
- privacy, quality of life, and mental health of all residents will be negatively impacted.
- Concerns about the stress, intrusion, and safety of possessions during construction.
- Increase in traffic and congestion
- Parking problems
- The road is extremely busy with cars and pedestrians at the start and end of the school days

- Congestion and safety issues during school run due to limited parking
- Safety concerns for children and parents walking to school during construction
- Health concerns for a family member with respiratory issues exacerbated by dust and noise
- Potential disruption to working from home due to noise and dust restrictions

Councillor Lyn Suddards - I would respectfully request that members of the planning committee undertake a site visit prior to decision making. The density of the housing within the location and close proximity is not demonstrable in the drawings and maps. Residents will then at least know that ABC has made the effort to understand their significant issues which inform the decision making process.

Planning Policy

14. The Development Plan for Ashford borough comprises the Ashford Local Plan 2030 (adopted February 2019), along with the Chilmington Green Area Action Plan (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), the Boughton Aluph and Eastwell Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022) and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
15. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
16. The Local Plan policies relevant to this application are as follows:
 - SP1 Strategic Objectives
 - SP2 The Strategic Approach to Housing Delivery
 - SP6 Promoting High Quality Design
 - HOU3a Residential Windfall Development
 - HOU12 Residential Space Standards (internal)
 - HOU14 Accessibility standards
 - HOU15 Private external open space
 - ENV1 Biodiversity
 - ENV7 Water Efficiency
 - ENV9 Sustainable Drainage
 - TRA3a Parking Standards for Residential Development
 - TRA6 Provision for Cycling
 - EMP6 Promotion of Fibre to the Premises (FTTP)
17. The following are also material considerations to the determination of this application:-

Supplementary Planning Guidance/Documents

- Fibre to the Premises SPD, 2020

- Dark Skies SPD, 2014
- Residential Space and Layout SPD, 2011
- Sustainable Drainage SPD, 2010
- Residential Parking and Design Guidance SPD, 2010
- Landscape Character SPD, 2010

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 (NPPF) 2021
- Planning Practice Guidance
- National Design Guide 2021
- Technical Housing Standards – nationally described standards
- Article 6(3) of the Habitats Directive; Habitats Regulations 2017

ASSESSMENT

18. The key areas for consideration in the assessment of this application are as

- Principle of Development
- Character and Appearance
- Impact on Highways
- Impact on Residential Amenity
- Impact on Ecology
- Stodmarsh Catchment Area

Principle of development

19. The site lies within the settlement confines of Ashford. Therefore, the principle of development is considered acceptable subject to meeting the relevant criteria under policy HOU3a (Residential Windfall Development Within Settlements) of the Local Plan and other site specific considerations.
20. Policy HOU3a states that “Residential development and infilling of a scale that can be satisfactorily integrated into the existing settlement will be acceptable within the built-up confines... providing that the following requirements are met:
- a) It is of a layout, design and appearance that is appropriate to and is compatible with the character and density of the surrounding area;

- b) It would not create a significant adverse impact on the amenity of existing residents;
- c) It would not result in significant harm to or the loss of, public or private land that contributes positively to the local character of the area (including residential gardens);
- d) It would not result in significant harm to the landscape, heritage assets or biodiversity interests;
- e) It is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network;
- f) It does not need substantial infrastructure or other facilities to support it, or otherwise proposes measures to improve or upgrade such infrastructure;
- g) It is capable of having safe lighting and pedestrian access provided without a significant impact on neighbours or on the integrity of the street scene; and,
- h) It would not displace an active use such as employment, leisure or community facility, unless meeting the requirements of other policies in this Plan.

Character and Appearance

- 21. Local Plan policy SP6 seeks to ensure that new development is of high quality design and development should adhere to the set of design criteria listed in the policy. New development should also show how it responds positively to local design guidance, such as village design statements.
- 22. The Character Appraisal of the area (i.e. study of the local vernacular, proportions and materiality) has been carried out. It is noted that the majority of the neighbouring houses are bungalows and semi-detached houses dating back to around the 1930s/60s. Aside from occasional flatted development, the houses surrounding the site are fairly uniform although there are slight variations in respect of detailing and porch designs. In respect of roof forms, it comprises a mix of hip, side gable and mansard roof with shallow pitches. The key elements include entrance porches, headers above windows and brick chimneys. In terms of the materials palette, it is predominantly brick with variation in brick colour, timber shingles, timber panelling, UPVC/metal fenestration and tiled roofs.
- 23. The houses are arranged in a staggered fashion gradually stepping down towards the north. The design of the houses takes inspiration from the existing adjacent houses, ensuring a cohesive visual appearance within the neighbourhood. Two of the terrace houses feature side gable roofs, mirroring the architectural style of the neighbouring houses on Harper Road. Moreover, these houses incorporate front gable ends that rest on prominent brick piers, accentuating the inset entrance porches at the front.
- 24. The corner terrace house, situated at the junction of Harper Road and Little Knoll, draws inspiration from the adjacent detached houses on Little

Knoll/Arlington. Its front gable roof, with increased height, serves to highlight the corner of the site and establishes a visual connection with the neighbouring terrace houses and the existing three-story flat block opposite.



25. The design incorporates a simple material palette that aligns with the surrounding context. Light brickwork would be utilised for the upper floors and dark brickwork for the ground floors with a view to create a visual separation and horizontal emphasis. Additionally, a light brick pattern with a dark brown brick every third brick would be implemented on the three front gable ends, emphasizing the entrances and visually connecting the three terraces. Stacked soldier brick detailing has been incorporated under windows and along all facades, further accentuating the horizontal elements.

26. In respect of landscaping, private external amenity for each dwelling is proposed in the form of a secure, rear garden and has been designed to allow for a sitting out area, clothes drying area, small shed and area of play as well as space to plant shrubs and small trees. In respect of the wider landscaping proposal i.e. the amenity land opposite the site, the proposed landscaping works could be secured via a suitably worded condition.
27. Having regard to the above, it is considered that the design of the proposed development would be of a good standard and consistent with the established development within the wider area. It would positively contribute towards the improvement of the existing built environment. Therefore, the proposal would comply with policies SP6, HOU3a of the Local Plan and paragraph 130 of the National Planning Policy Framework.

Residential Amenity

28. The application site has a rectangular shape, fronts Harper Road and is surrounded by houses on three sides with accesses off Harper Road. It is noted that regard has been had to the residential amenity of the neighbouring occupiers and appropriate separation distances have been retained between the proposed dwellings and the neighbouring properties. The proposed dwellings would be sited at a distance of approximately 16m from the neighbouring properties to the northwest (rear) and 14.5m from the property to the southeast. Whilst the separation distances between the properties is not ideal, members will note that it follows the prevailing relationship between the residential properties in the locality. Having regard for the sufficient separation distances, it is not considered that the proposed development would cause loss of light, sense of enclosure or overshadowing to the neighbouring occupiers. To mitigate the potential impact from the loss of privacy from the first-floor windows of the proposed dwellings, a suitably worded condition could be attached requiring them to be fixed shut and obscure glazed. Having regard to the above and subject to conditions, the proposed development is considered acceptable in terms of residential amenity impact.

Living conditions of the future occupants

29. Regard must also be had to whether the proposed development would provide high standard of amenity to the future occupants. The proposed units, together with individual rooms, would be of a good size, whilst all habitable rooms would be naturally lit. The dwellings would meet the Nationally Described Space Standards in accordance with Local Plan policy HOU12. Each dwelling would have adequate external amenity area or access to communal areas. As such, the living conditions of future occupiers would be acceptable. It would therefore comply with policy HOU15 of the local plan and paragraph 130 of the NPPF.

Impact on Highways

30. The site lies in a dense urban location. Policy TRA3(a) requires that development to provide adequate parking to meet the needs which would be

generated, balancing this against design objectives. It requires 2 bedroom house to provide 2 parking spaces. These figures are described as minimums. Additionally, visitor parking should be provided at a rate of 0.2 parking spaces per dwelling. Spaces should be independently accessible and garages are not considered to provide car parking spaces. The parking requirement for 3 dwellings would be 6 car parking spaces plus 0.6 visitor space. The proposal would make provision for 2 parking spaces per unit (6 spaces in total) plus 2 visitor parking spaces. The parking spaces would be equipped with EV Charging facility. It is understood that these would be provided via a wall mounted socket charging point (such as a Solo Smart Charger) fixed onto the side external wall adjacent to the front entrance for three of the properties, with one of the properties EVC to be provided via a stand to minimise trailing cables across public footway. The proposal would therefore comply with policy TRA3a of the local plan and paragraph 112 of the NPPF.

31. Cycle parking has been provided in line with ABC Local Plan 2030 Policy TRA6. A garden shed with capacity for 2no cycle spaces has been allowed for within the rear garden of the dwellings.
32. Regard must also be had to whether the loss of garages would result in an unacceptable impact on the highway network. Paragraph 110 of the NPPF states, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
33. The application has been accompanied by a Transport Statement. Based on the analysis, the proposed development is expected to generate a low number of vehicle trips during peak hours and throughout the day. Specifically, one vehicle trip in the morning peak hour and two vehicle trips in the evening peak hour, resulting in a total of 14 vehicle trips over a 12-hour day which equates to approximately one trip per hour on average.
34. To ensure that a car can reverse onto the driveways, swept path analysis has been undertaken for a large estate car. A refuse vehicle, pantechnicon and fire tender will be able to serve the dwellings on street via Harper Road. It has been demonstrated that the development is entirely within the stipulated hose distance of a fire tender and drag distance of a refuse vehicle parked on Harper Road.
35. An existing site survey revealed that only one of the garages is currently being used for parking. However, it was noted that that there were additional vehicles entering and exiting the site across all three days, but they did not park up for a prolonged period of time. It is therefore considered that a minimal number of vehicles are likely to be displaced as a result of the proposals and these could be accommodated in the other garage site. Additionally, an overnight parking stress survey was completed on the 16th and 17th June 2021. The survey used the Lambeth methodology and assessed the road network within a 200 metre walk distance of the site frontage. The survey demonstrated that there were 46 observed free parking spaces on the Wednesday night and 49 observed free parking spaces on a Thursday night. The existing site contains 24 garages,

however the above survey shows that only one of the garages is in use for parking. It is however considered that if all garages were in use that a maximum of 24 cars could be displaced as a result of the proposals. It is noted that there is adequate on street parking to accommodate this level of displaced vehicles. Furthermore, it should be noted that the garage site located approximately 60 meters to the north could be utilised by the current occupants of the existing site.

36. KCC Highways have raised no objection in respect of the proposed development, however, a number of conditions have been recommended to be attached to the including a construction management plan, highway condition surveys and any necessary repairs, conditions in relation to the access and parking, provision of EV Charging points and visibility splays.
37. In the light of the above, it could be reasonably concluded that the demolition of the existing garages and the development of three residential dwellings would not have a detrimental impact on the existing on-street parking provision i.e. the proposal would result in an unacceptable highways impact or severe residual cumulative impacts on the road network (relevant test in the NPPF) and would therefore accord with paragraphs 110 and 111 of the NPPF.

Stodmarsh Catchment Area

38. Advice has been received from Natural England in respect of the nationally and internationally designated protected sites at Stodmarsh Lakes, east of Canterbury. This relates to an increased level of nitrogen and phosphorus within the protected sites which is adversely affecting the integrity of the habitat of the lakes.
39. In line with established case law and the 'precautionary principle', Natural England are advising that applications for certain types of development within the Stour river catchment and / or which discharge to particular Wastewater Treatment works within the catchment should be the subject of screening under the Habitat Regulations and, consequently, subject to an Appropriate Assessment prior to any decision to grant planning permission.
40. The importance of this advice is that the site falls within the Stour catchment and the effect is that this proposal must prima facie now be considered to have a potentially significant adverse impact on the integrity of the Stodmarsh lakes, and therefore an Appropriate Assessment (AA) under the Habitats Regulations would need to be undertaken and suitable mitigation identified to achieve 'nutrient neutrality' as explained in NE's advice, in order for the Council to lawfully grant planning permission.
41. Under the Council's Constitution, the Head of Planning and Development already has delegated authority to exercise all functions of the Council under the Habitats Regulations. This includes preparing or considering a draft AA, consulting Natural England (NE) upon it, and amending and/or adopting it after taking into account NE's views.

42. As matters stand, it is very likely that an off-site package of mitigation measures will be required in order for the development proposal to achieve 'nutrient neutral' status and in the absence of such measures (or any others) having been identified and demonstrated to be deliverable, it is not possible to conclude, at this moment in time, that the scheme would be acceptable in respect of this issue.
43. However, work commissioned by the Council is moving forward on identification of a package of strategic mitigation measures that should enable relevant developments within the Borough's River Stour catchment (where the NE advice applies) to come forward on a 'nutrient neutral' basis, subject to appropriate obligations and conditions to secure the funding and delivery of the mitigation before occupancy of the development.
44. Therefore, on the basis that this proposal is considered to be otherwise acceptable in planning terms (subject to planning conditions), it is recommended that a resolution to grant planning permission should also be subject to the adoption by the Assistant Director - Planning and Development (having consulted NE) of a suitable Appropriate Assessment to address the Habitats Regulations, to the effect that the proposed development will not adversely affect the integrity of the SAC, SPA and Ramsar Site (by achieving nutrient neutrality), and to secure any necessary additional obligation(s) and/or planning conditions that are necessary in order to reach that Assessment and ensure that at the time of occupancy the necessary mitigation is in place.

Impact on Ecology and Trees

45. The EU Habitats Directive 1992, requires that the precautionary principle is applied to all new projects, to ensure that they produce no adverse impacts on European Sites. Local Plan policy ENV1 states that proposals that conserve or enhance biodiversity will be supported. Proposals for new development should identify and seek opportunities to incorporate and enhance biodiversity. The site lies in an urban location and lacks any significant features to support wildlife. Notwithstanding this, the application has been supported by a Phase 1 Habitat Survey to rule out the presence of any protected species on the site.
46. The preliminary ecological appraisal revealed that the site lacks priority habitats and the amenity grassland has limited ecological value.
47. It is noted that no ponds exist within the survey area, and connectivity to nearby ponds is poor, making the site unsuitable for great crested newts or amphibians. Reptiles are not present on the site, and no further work is recommended. The field maple tree provides breeding opportunities for birds, and if removal is necessary, it is recommended that it should be done outside the bird breeding season or with an inspection by an ecologist. The garages were not found to support nesting birds. It is advised that landscaping should incorporate native plants to support nesting and foraging opportunities for birds.

48. The site and garages have negligible potential for supporting roosting bats. Nevertheless, the survey notes that surrounding properties may have features suitable for bats, so lighting design should avoid affecting their behaviour. No further work is recommended. No additional work is necessary for hazel dormouse or badgers. Hedgehogs may be present, and areas where mammals may shelter should be checked prior to disturbance.
49. In conclusion, the site's ecological value is limited, and no significant species or habitats require further attention. Recommendations include consideration of native plantings for birds, and mindful lighting design to minimize impacts on bats. Also, a broad list of potential biodiversity enhancement measures has been included within the survey. It is considered that given the lack of habitat features on-site/habitat connectivity, the impact on ecology is considered acceptable. Suitably worded conditions could be attached to secure the recommendations made within the report.

Human Rights Issues

50. 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).

Conclusion

51. The application site meets the definition of previously developed land (PDL) as defined at Annex 2 of the NPPF. NPPF strongly advocates the use of PDL where possible. Therefore, having regard for the merits of this case, it is considered that the use of the site for the creation of 3 affordable dwellings of a good standard would provide a significant benefit to the community together with making the most efficient use of previously developed land. It would enhance the character and appearance of this part of the town. It would cause no harm to the residential amenity of the neighbouring occupants or the highway safety and is considered acceptable in all other material respects.

Recommendation

Permit

- A. Subject to the applicant submitting information to enable an Appropriate Assessment under the Habitats Regulations to be adopted by the Assistant Director - Planning and Development which identifies suitable mitigation proposals such that, in their view, having consulted the Solicitor to the Council & Monitoring Officer and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site; and with delegated authority**

to the Planning Applications and Building Control Manager or the Strategic Development and Delivery Manager to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto; and,

- B. Subject to planning conditions and notes, including those dealing with the subject matters identified below, (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.**

1. 3-year standard condition
2. Approved Plans
3. Construction Management Plan
4. Highway condition survey before and after construction and carrying out any repairs if required
5. Measures to prevent discharge of surface water onto the highway
6. Provision and retention of permanent parking spaces
7. EV Charging points
8. Cycle parking
9. Provision and maintenance of visibility splays
10. Completion and maintenance of the access
11. Contamination (Land or groundwater)
12. Reporting of unexpected contamination
13. Foul water disposal
14. Bin Storage
15. Submission of material samples
16. Landscaping scheme
17. Offsite landscaping works
18. Reveal of 100mm for the windows
19. PD rights removed [Classes A (extensions), B (Dormers), D (porches) and E (outbuildings)]
20. Obscure glazing (first floor windows to rear elevations)
21. Fibre optic broadband
22. Scheme of biodiversity enhancements
23. Removal of the tree outside of the bird nesting season

Notes to Applicant

1. Working with the Applicant
2. List of plans / documents approved

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 //AS)

Contact Officer: Benazir Kachchhi
Email: benazir.kachchhi@ashford.gov.uk
Telephone: (01233) 330683

Application Number	PA/2023/0714
Location	Court Wurtin, Beaver Lane, Ashford, Kent, TN23 5NH
Grid Reference	Easting (x) 600308 / Northing (y) 141279
Parish Council	Central Ashford
Ward	Beaver
Application Description	Provision of 1 no. residential/commercial waste and storage compounds; refurbishment of the stairwell to include new roof structure, render, and cladding, provided gated residential area. Proposed works to residential properties 24-30 to include PV panels, rendering, and changes to fenestration
Applicant	Mrs Sharon Williams, Ashford Borough Council
Agent	Mr Colin Benton, Ashford Borough Council
Site Area	0.2935 Hectares

Introduction

1. This application is reported to the Planning Committee because the applicant is Ashford Borough Council (ABC).
2. The application was deferred from the Planning Committee held on 5th July.

Site and Surroundings

3. The application site comprises the northern part of Court Wurtin, a three-storey 1960s residential / commercial block, which is located to the south of Beaver Lane in the Beaver Ward of Ashford. The building comprises a local retail centre with commercial units on the ground floor and flats on the first and second floors.
4. The immediate area is predominately residential in nature, with a mix of semi-detached and terraced houses and low rise blocks of flats surrounding the site. The application site is not subject to any landscape restrictions according to the Development Plan.

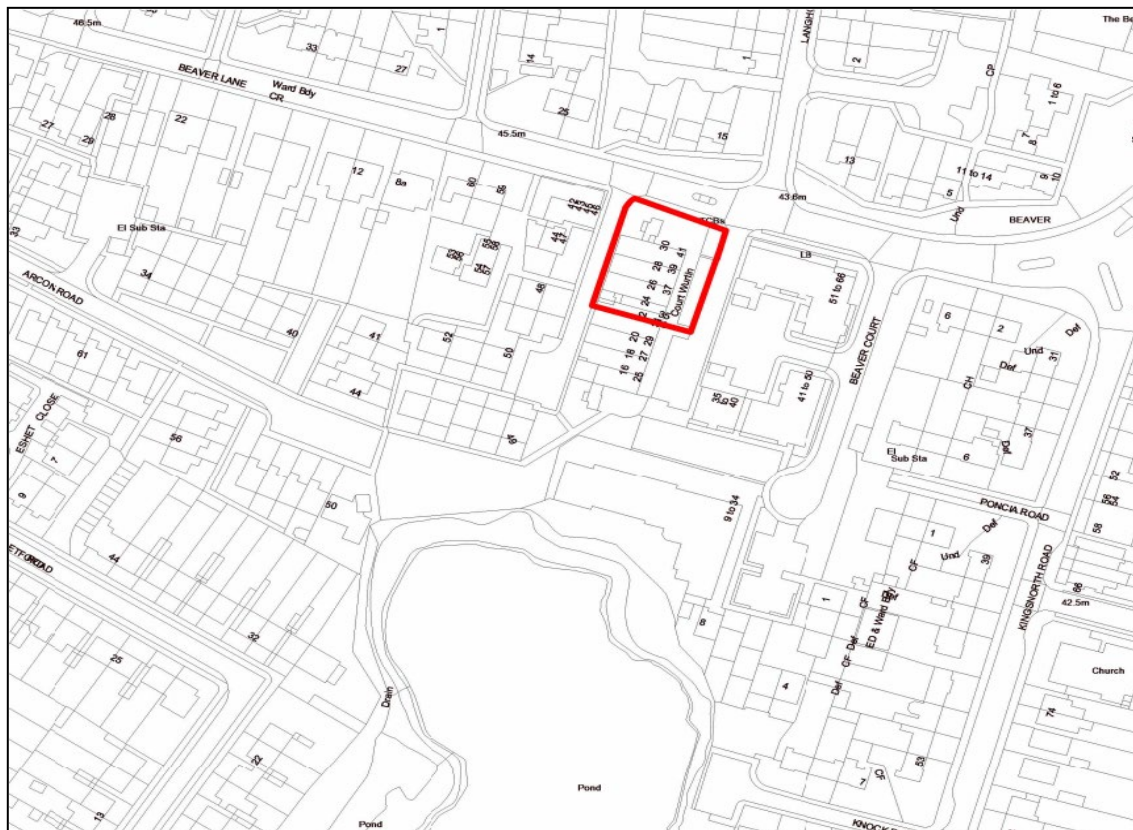


Figure 1 Site Location

Proposal

5. Planning permission is sought for
 - Provision of residential / commercial waste and storage compound(s);
 - Refurbishment of the existing stairwell to include new roof structure, render, and cladding;
 - Provision of a gated residential area to the front of the stairwell; and
 - Works to residential properties 24-30 to include removal of canopy, the insertion of PV panels, rendering, and changes to fenestrations.
6. The materials proposed to clad the stairwell would be cedar timber slats approximately 38x68mm timber. No lacquer or paint finish is proposed to allow timber to discolour naturally. A galvanised steel frame is proposed to enclose the front and rear elevations of the stairwell.
7. The proposed storage compound(s) would be enclosed by a 2.7m high fence comprising ash timber slats fitted vertically to steel framed posts and horizontal rails. The said compound would be accessed via the rear access way to the west of the site and from within the stairwell. Immediately to the

north of the said storage compound the applicant is proposing an area of landscaping.

8. The replacement windows would be white PVCu double-glazed units, in order to match existing windows at the site. The applicant has also proposed a grey render finish on the facades of the flats in question.

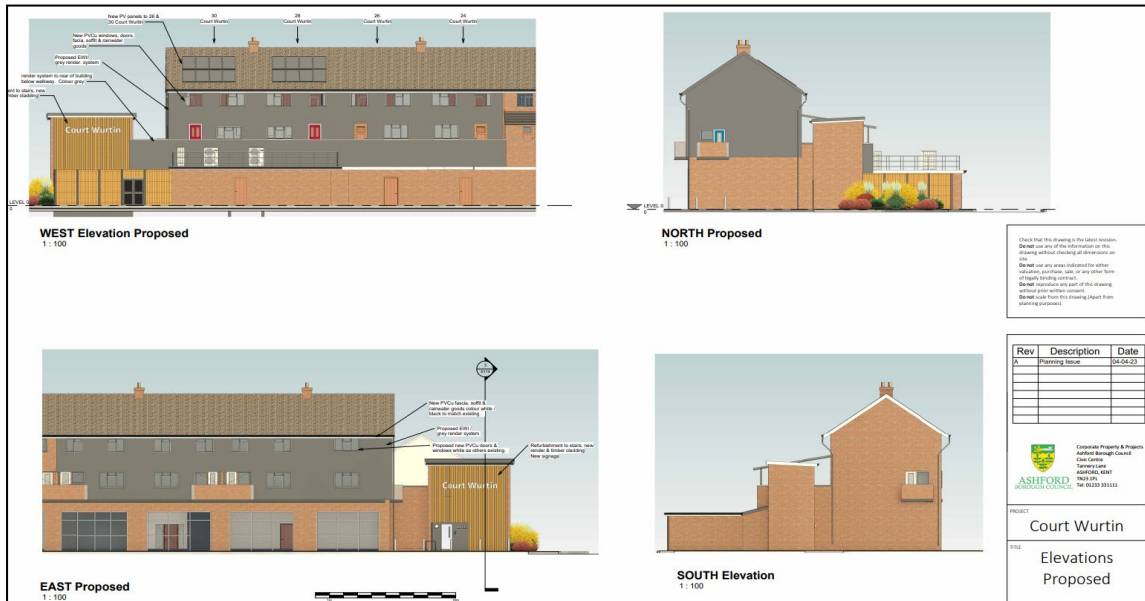


Figure 2: Proposed Elevations

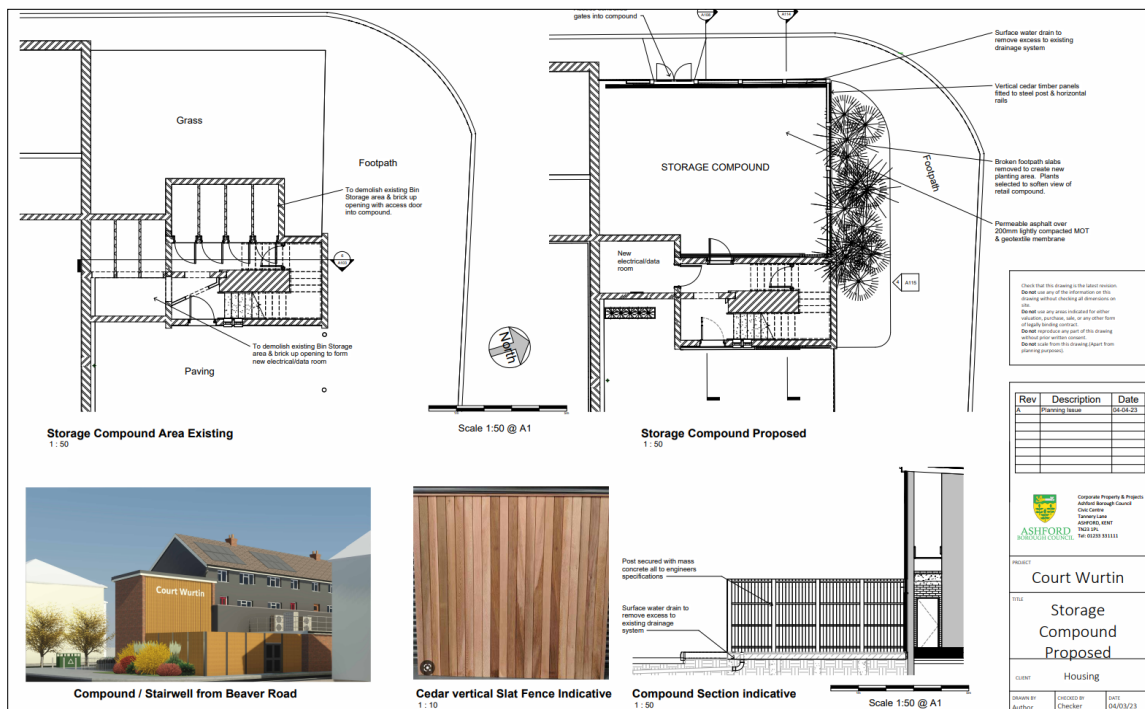


Figure 3: Proposed Waste Storage Compound

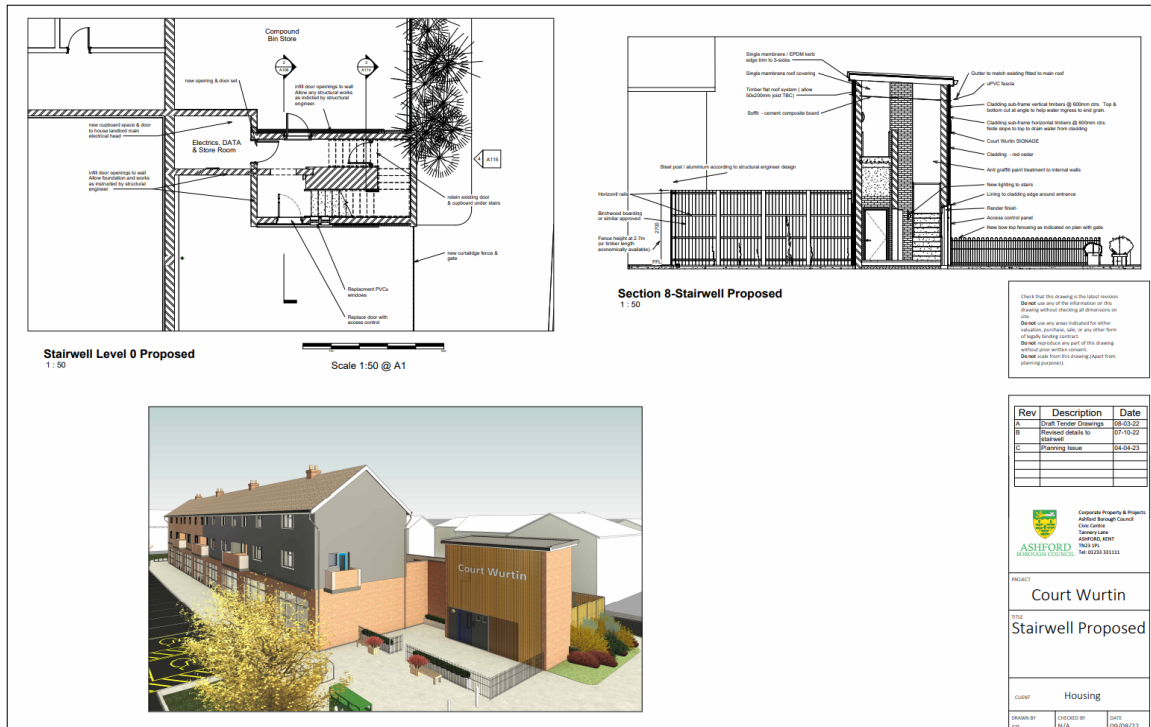


Figure 4: Stairwell Proposed

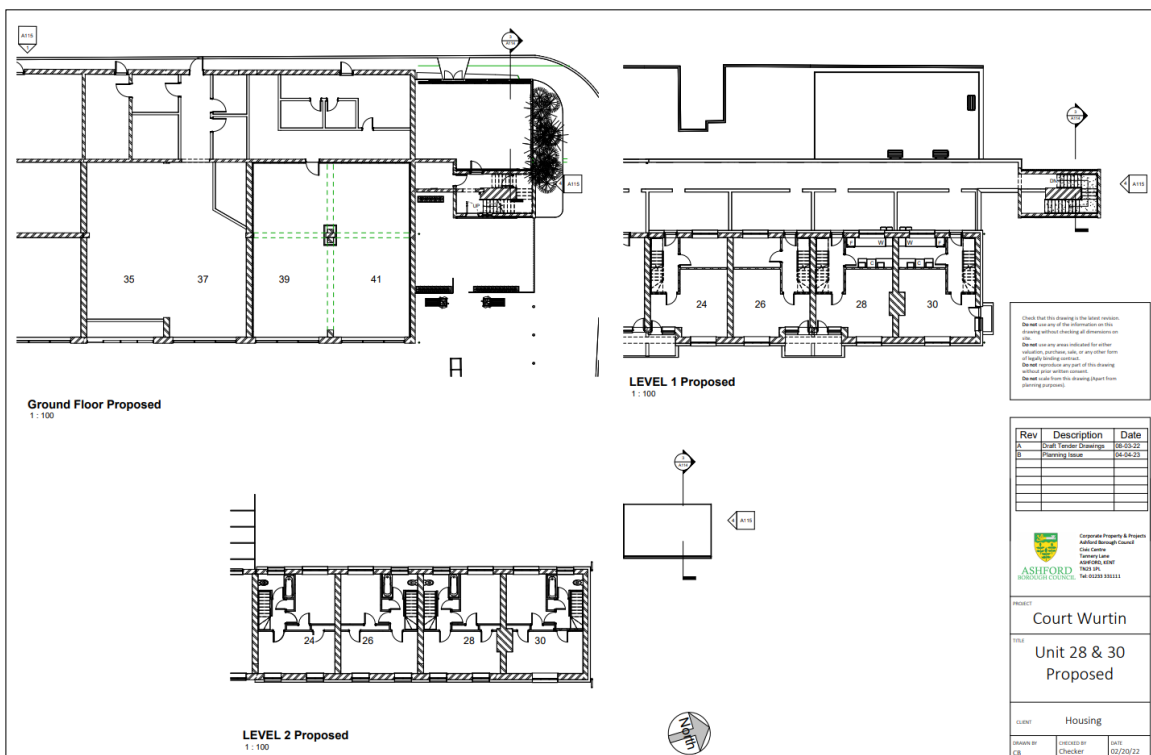


Figure 5: Proposed Floor Plans

Planning History

9. No Relevant Planning History.

Consultations

9. The application has been subject to formal statutory and non-statutory consultation.
10. **Environmental Services** – Makes the following comment
- To eliminate any cross-contamination between commercial and residual household domestic waste, separate storage areas need to be provided.
 - The separate storage area for the domestic household waste needs to provide enough capacity for 1 x 1100 litre refuse bin and 1 x 1100 litre recycling bin, plus 1 x 180 litre food caddy.
 - The door should be fitted with an FB1/2 lock.
 - Pull out on the bins to where the RCV can pass should not exceed 10m and should have a smooth pull out to the road with a drop-down kerb in place where necessary.
12. **Neighbours** - 73 neighbours were consulted in relation to the proposed works and no letters of objection were received.

Planning Policy

13. The Development Plan for Ashford borough comprises the Ashford Local Plan 2030 (adopted February 2019), along with the Chilmington Green Area Action Plan (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), the Boughton Aluph and Eastwell Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022), Charing Neighbourhood Plan 2023 and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
14. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
15. The relevant policies from the Development Plan relating to this application are as follows:-
- SP1 – Strategic Objectives

SP6 – Promoting High Quality Design
ENV3a - Landscape Character and Design
ENV4 – Light Pollution and Promoting Dark Skies
ENV10 – Renewable and Low Carbon Energy

16. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

Landscape Character SPD 2011
Climate Change Guidance for Development Management

Government Advice

National Planning Policy Framework (NPPF) 2019

The NPPF reflects the statutory provision at section 38(6) of the Planning and Compensation Act 2004 that mandates the determination of all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise (paragraph 47). The NPPF was published on 27 March 2012 but has been amended on several occasions, with the most recent in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- 4. Decision-making
- 12. Achieving well-designed places
- 14. Climate change

Planning Policy Guidance: In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application

Assessment

17. The main issues for consideration are:
- Principle of Development & Visual Amenity
 - Residential Amenity
 - Highway Safety

Principle & Visual Amenity

18. The site is located within the Ashford urban area and the principle of new development is accepted subject to complying with the relevant policies of the Local Plan.
19. Court Wurtin is a three storey 1960s residential / commercial block that is considered to be somewhat stark, domineering and visually intrusive within the locality, especially as the existing fenestration and stairwell have become neglected and are becoming dilapidated and detract from the character of the building and area.
20. The proposed cladding materials and new roof on the stairwell, in combination with the proposed new replacement fenestration and new street furniture would constitute a significant visual improvement and would enhance and rejuvenate the character and appearance of the building and its surroundings. Likewise, the proposed storage compound is well-designed and located and would assimilate well with the character and form of the host building. The area of soft landscaping to the north of the stairwell and storage compound would help soften the appearance of the said storage compound and improve the appearance of the street scene. Such landscaping details should be agreed by way of a condition. Lastly, the removal of part of the first floor canopy on the western elevation of the building would also be visually acceptable in this instance. Overall, it is considered that the said works would improve the appearance of the building and not cause any visual harm to the area.
21. In order to improve the energy efficiency of the flats owned by ABC, the Council are proposing to add a form of cladding with a render finish to the exterior facades of the building. As ABC do not own the entire building, this would result in part of the building being clad and the other half remaining at present, finished in brickwork. The proposed juxtaposition of grey render with the existing brickwork would likely appear somewhat awkward. However, the applicant has agreed to amend the colour of the render to make the transition of materials more harmonious. The exact details of the said materials / finishes will be agreed by way of condition.
22. With regard to the proposed solar panels there is a Government commitment to the use of renewable forms of energy and this is reflected in the NPPF,

which advises that even small-scale projects provide a valuable contribution to cutting greenhouse emissions. Solar PV panels are likely to have the least visual effect of all renewable technologies.

23. The proposed solar array would be on the western elevation. Given the surrounding built form and the orientation of the building to the road the proposed solar array would not appear prominent or intrusive and would assimilate with the site's surroundings. No significant or unacceptable harm to the surrounding street scene would be caused as a result of the solar array.

Residential Amenity

24. Given the minor scale of the development works proposed, it is not considered that any harm to residential amenity would be caused by this proposal.

Highway Safety

25. The proposed works would not create any further parking demand at the site and would not displace any existing parking provision within the site. The proposed small enclosed residential area to the front of the stairwell, and the area of soft landscaping proposed, and the storage compound(s) to the rear of the stairwell, would not detrimentally impact upon the functionality of the pavements and footpaths in the area either. Consequently, no harm to highway safety would result from this proposal.

Human Rights Issues

26. 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).

Conclusion

27. To conclude given the limited impact the proposal would have on the form of the building and the street scene, the proposal is considered acceptable and in accordance with the provisions of the Development Plan as a whole. With no overriding matters which would otherwise indicate a refusal, I recommend that the application is approved subject to conditions.

Recommendation

Permit

- A** With delegated authority to the Planning Applications and Building Control Manager or the Strategic Development and Delivery Manager to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto; and,
- B** Subject to planning conditions and notes, including those dealing with the subject matters identified below, (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.

Conditions

1. 3-year standard condition
2. Compliance with Approved Plans
3. Materials as approved / details of rendering to approved
4. Landscaping
5. Details of refuse collection for commercial and residential elements

Notes to Applicant

- Working with the Applicant

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council website (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application PA/2023/0174)

Contact Officer: Laura Payne
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Application Number	PA/2023/0218
Location	15 Warwick Road, Kennington, Ashford, Kent, TN24 9EH
Grid Reference	Easting (x) 602243 / Northing (y) 144390
Parish Council	Kennington Community Council
Ward	Bybrook
Application Description	Proposed conversion of a 3-bedroomed house to No.2 self-contained 1-bedroomed flats
Applicant	Ashford Borough Council
Agent	ABC - Housing Development and Regeneration
Site Area	0.03 Hectares

Introduction

1. This application is reported to the Planning Committee because Ashford Borough Council (ABC) is the applicant.
2. The application was deferred from the Planning Committee held on 5th July.

Site and Surroundings

3. The application site comprises a two storey semi-detached property within the Kennington area of Ashford. The site occupies a corner plot on Warwick Road and Shepway with the main access on Warwick Road. The property currently benefits from 3 bedrooms all on the first floor with a lounge, kitchen, utility and shower room on the ground floor. There is currently parking for one vehicle on the driveway. It is also worth noting that there are no parking restrictions in the surrounding streets.
4. The prevailing character of the street scene is one of properties of a similar style/design with a mix of terraced and semi-detached dwellings, in either render or facing brickwork. There is a fair degree of landscaping in the vicinity with trees, amenity areas, low hedgerow and some picket fencing.

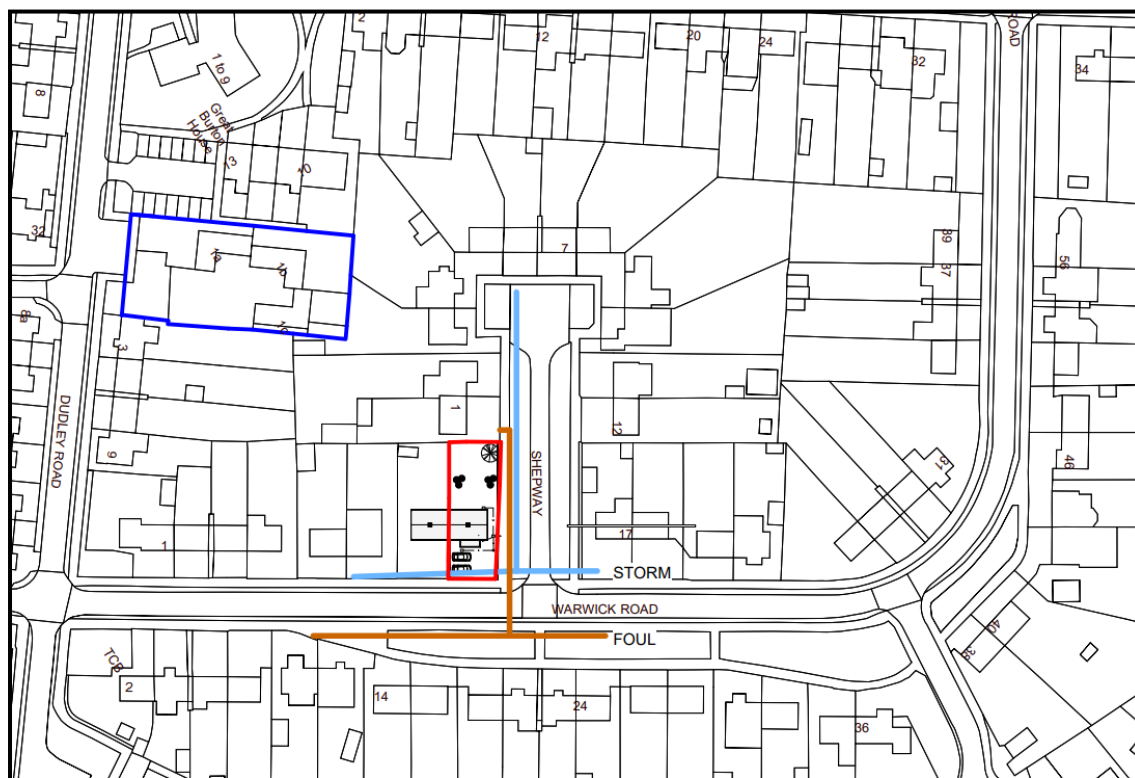


Figure 1 - Site Location Plan outlined in red – blue signifies other land owned by ABC

Proposal

5. Full planning permission is sought for the conversion of the dwelling to 2 self-contained 1-bedroom / 1 person flats (one on each floor). There are associated internal alterations, but the external alterations are minimal with some slight fenestration alterations on the front facade of the building, and the blocking up of a small ground floor window on the flank elevation of the property. As well as the provision of solar panels on the front roofslope, water butts to the front and rear and electric vehicle charging points to the front along with enlarging the front curtilage hardstanding area to provide two off-road vehicle spaces.
6. The conversion of this building is proposed as part of a scheme under the Government's Levelling Up agenda with the aim to help rough sleepers rebuild their lives under a Government supported scheme. The property was bought by the Council specifically for this project. The applicant has confirmed that this property will be for single person occupancy of each unit only.
7. It is of note No. 15 Warwick Road is one of a number of properties being converted to provide housing for rough sleepers in the Borough. At this time Ashford Borough Council has identified that a minimum of 15 properties are

required to accommodate the needs of this project in the Ashford Area. A similar application was heard by the Planning Committee in November and December 2022 under application reference 22/00569/AS at 240 Beaver Road, Ashford. It was resolved to permit that application subject to Stodmarsh criteria. It is also of note that another, separate application has been submitted for the same scheme under application reference PA/2023/0225 at 36 Hurst Road, also in Kennington.

8. In support of this application, the Development & Regeneration Manager, Housing has set out the context behind this proposal.
- The property has been purchased by ABC specifically for the conversion, as part of the above mentioned scheme.
 - Private and Council households can be under or over occupied. This can be due to personal circumstances (children left home, or two single parents with children) as well as financial.
 - The conversion is part of a nationwide programme to provide rough sleeper accommodation.
 - Two units of accommodation next to each other provides a concentration of provision for management without being excessive.
9. The Development & Regeneration Manager, Housing further highlights that the Council's waiting list will always be different to the national picture and that ABC address' the needs of those who are more vulnerable. The table below provided by the applicant sets out the needs of those on the Council's housing waiting list. The numbers at the top of the table are the number of bedrooms needed (i.e. there is a need for 728 x 1 bedroom properties at present in the Borough).

Need	1	2	3	4	5	6
Total	728	281	352	95	23	1

Figure 2 – Housing waiting list needs



Figure 3 – Existing Plans and Elevations

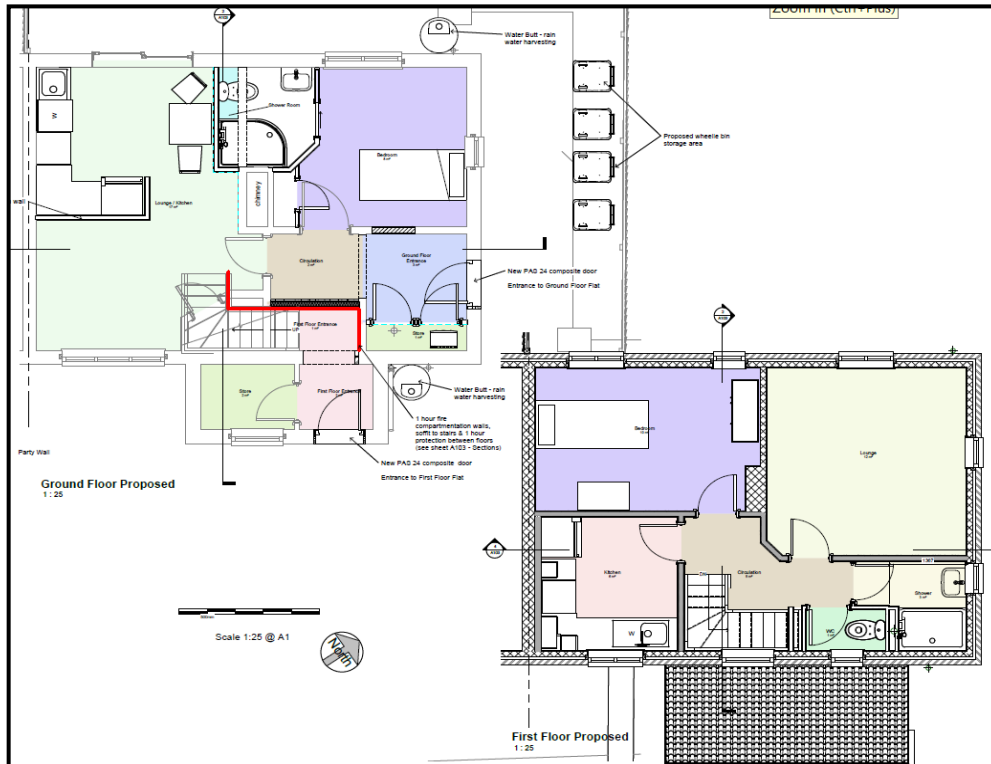


Figure 4 - Proposed Floor Plans

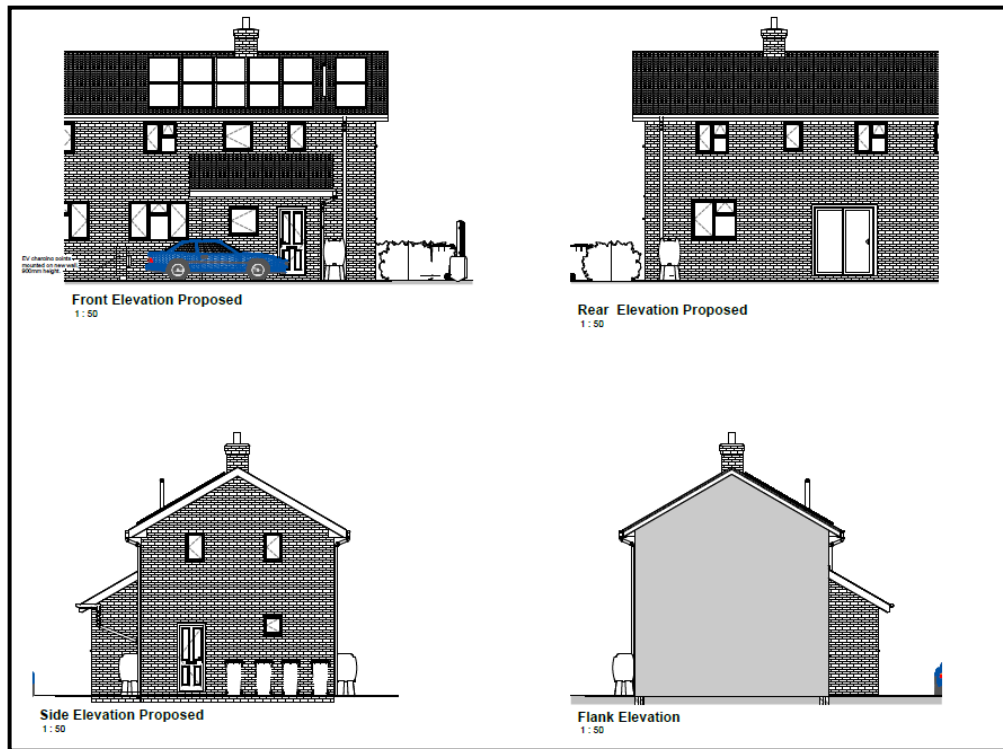


Figure 5 – Proposed Elevations

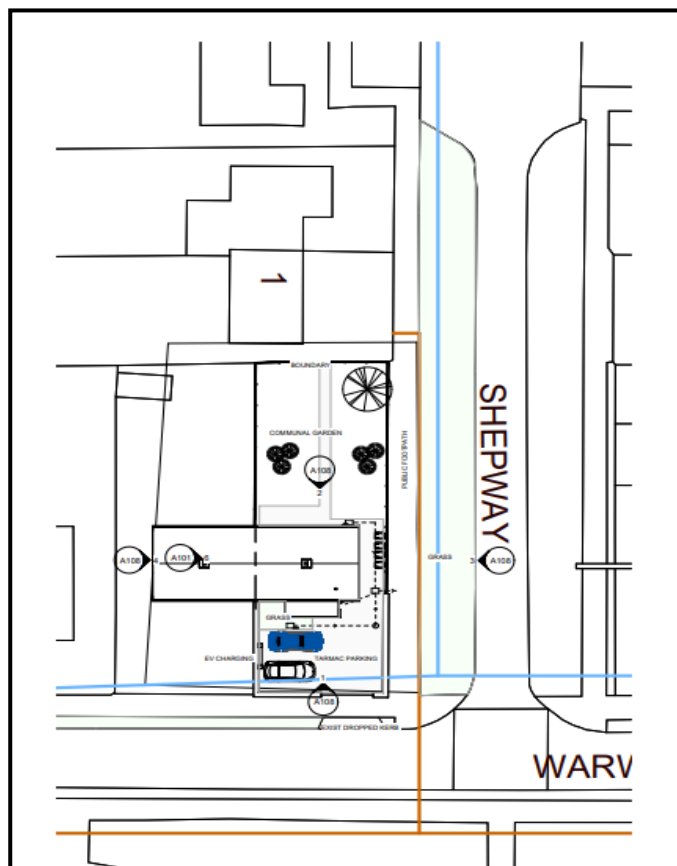


Figure 6 - Proposed Site Plan

Planning History

10. There is no recent relevant planning history for the site.

Consultations

11. The application has been subject to formal statutory and non statutory consultation.
12. **Kennington Community Council** – No response received.
13. **Natural England** – comments submitted dated 27.06.2023. The comments made reference to the fact that without appropriate mitigation the development would have an adverse effect on the designated sites and would damage or destroy the interest features for which Stodmarsh Site of Special Scientific Interest (SSSI) has been notified. Therefore, in order to mitigate these effects and make the development acceptable in drainage terms, they consider that a reduced single occupancy condition should be imposed on the permission.
14. **Environmental Protection** – They note that the sound insulation for the floors/ceilings and stairs will be improved to current standards. The first floor living room will be located above a ground floor bedroom. They advise that this is not ideal and has the potential to cause a noise disturbance for the ground floor property. If possible bedrooms should be positioned over bedrooms, however it is possible the structure of the building does not permit this. They suggest that the applicant may wish to stipulate that floors are carpeted with underlay in living rooms, bedrooms, stairs and hallways. They suggest that informatives relating to hours of construction, the burning of waste and dust emission controls are imposed on any consent.
15. **Neighbours** – notification letters were sent to the occupiers of 5 properties in the vicinity of the application site and no representations have been received.

Planning Policy

16. The Development Plan for Ashford borough comprises the Ashford Local Plan 2030 (adopted February 2019), along with the Chilmington Green Area Action Plan (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), the

Boughton Aluph and Eastwell Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022) and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).

17. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
18. The relevant policies from the Development Plan relating to this application are as follows:-
 - SP1 – Strategic Objectives
 - SP2 – The Strategic Approach to Housing Delivery
 - SP6 – Promoting High Quality Design
 - ENV1 - Biodiversity
 - HOU3a – Residential Windfall Development Within Settlements
 - HOU12- Residential Space Standards Internal
 - HOU15 - Private External Open Space
 - TRA3a - Parking Standards for Residential Development
 - TRA6 - Provision for Cycling
 - TRA7 – The Road Network and Development
19. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

Sustainable Drainage SPD 2010
Residential Parking & Design SPD 2010
Residential Space & Layout (External space standards) 2011
Landscape Character SPD 2011
Climate Change Guidance for Development Management

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 (NPPF) 2021

The NPPF reflects the statutory provision at section 38(6) of the Planning and Compensation Act 2004 that mandates the determination of all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise (paragraph 47). The NPPF was published on 27 March 2012 but has been amended on several occasions, with the most recent in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places

Planning Policy Guidance: In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application

Technical housing standards – nationally described space standards

Assessment

20. The main issues for consideration are:

- Principle of Development
- Design, Character and Appearance
- Residential Amenity and Standards
- Parking Provision and Highway Safety
- Other Matters

Principle of Development

21. There is no specific policy objection to the conversion of larger dwellings into smaller units in the adopted Local Plan. Neither are there compelling housing needs that support the retention of large homes. In the circumstances, there are no reasons why this proposal should not be given a favourable consideration if it complies with the relevant Development Plan policies and standards.

Design, Character and Appearance

22. Local Plan policies SP1 and SP6 require good design and state that all development should seek to create a distinct character, with a strong sense of place and identity. These policies are broadly consistent with the NPPF which attaches great importance to the design of the built environment and seeks to safeguard heritage assets.
23. The proposed external alterations are very minimal and only involve some small fenestration alterations and the installation of solar panels on the front roof slope, water butts and electric vehicle charging points. These are very minor works which neither detract from the appearance of the building nor are they detrimental to the character and appearance of the surrounding area.

Residential Amenity and Standards

24. Section 12 of the NPPF refers to design and the standard of amenity. Paragraph 127 states, amongst other things, that planning policies and decisions should ensure that developments:

“Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

25. The proposal raises no amenity impact issues. The proposed residential use conforms with the surrounding uses and the proposed external alterations would not have any adverse impact on the living conditions of the neighbours.
26. In accordance with policy HOU12 and the provisions in the national guidance, the internal layout and floorspace disposition of the proposed dwellings meet the set standards. Nonetheless, the plans show that the first floor living room / kitchen of the first floor unit will be above the ground floor bedroom of the ground floor unit. However, each flat has 60 minutes fire separation and the section drawing indicates a sound insulation system will be introduced to the flooring and underside to the ceiling that will reduce sound transmission. Sound proofing to the party wall to the first floor kitchen is also shown with the sound proofing to meet regulations. Environmental Health have also suggested underlay to the carpeting to help the situation. However, this is not something which can be conditioned. Overall, it is considered that the relationship between the 2 flats would be acceptable and would not lead to impact on any residential amenity for future occupiers.

27. The property benefits from a 15m deep rear garden which will be shared between the two units. While in this supported tenancy, the housing support team have advised that the tenants will have joint responsibility for keeping the garden in good order, mowing the grass etc. and encouraged to behave in a tenant like manor, taking responsibility for taking care of the property and putting out the rubbish/bins. In order to ensure that the rear facing habitable rooms of the ground floor flat would be afforded with appropriate levels of privacy, it is considered that defensible spaces (immediately outside of the rear facing ground floor flat bedroom window and lounge / kitchen sliding doors) should be provided by suitable landscaping which could be secured by way of a condition. The residual external amenity space suffices for the 2 non-family units which are for single persons and are therefore satisfactory and in accordance with policy HOU15.

Parking Provision and Highway Safety

28. Policy TRA3a of the Local Plan requires one off-street car space for 1-bedroom dwellings. The front curtilage of the site currently provides one off road car space but the proposed plans show that realistically two spaces could be achieved in order to be policy compliant by replacing a portion of the front grass with tarmac.
29. As with other such schemes in the Borough (such as the previously mentioned application at Beaver Road), it is important to realise that off-street parking provision is not considered a necessity for the proposed flats which is intended to cater for former rough sleepers who have very few possessions and highly unlikely to have a car. However, it is considered appropriate to condition the retention of the shown car parking spaces to ensure that the flats would be provided with acceptable car parking provision in accordance with policy requirements, if such parking provision is required for the flats in the future.

Other Matters

30. The site is located within the Stour catchment. The Council received advice from Natural England (NE) in respect of the nationally and internationally designated protected sites at Stodmarsh lakes, east of Canterbury. This relates to an increased level of nitrates and phosphates within the protected sites which is adversely affecting the integrity of the habitat of the lakes.
31. The development proposes to convert the existing dwelling into new accommodation. The existing dwelling is a 3-bedroom house, which in accordance with the Natural England methodology, is assumed to have an existing occupancy of 2.4 persons.

32. The proposed development would result in the creation of two single occupancy flats. Given that the proposed flats are intended for single occupancy, it is considered that the standard occupancy value of 2.4 persons per dwelling is not appropriate for the type of accommodation proposed and that assuming an occupancy value of 1 person per flat would be more appropriate. Again, this is the approach taken with the similar application at 240 Beaver Road (22/00569/AS).
33. The proposed development would convert an existing dwelling into 2 self-contained flats for single occupancy. Subject to the imposition of a condition restricting the occupancy of the units to one person per flat, the scheme does not result in any increase in net population within the Stour catchment. Consequently there would be no net increase in nutrients generated from the proposed use. Additionally, there is no land use change associated with this application, given that the site is an existing residential site. Consequently, there would be no net nutrients generated from the surface water/land use change.
34. The Assistant Director of Planning & Development, in his capacity as Competent Authority, has considered the Natural England consultation comments and has signed off the Appropriate Assessment. Therefore subject to the inclusion of the single occupancy condition, the development proposal achieves nutrient neutrality and it is concluded that the development would not result in an adverse effect on the integrity of the Stodmarsh Lakes.

Human Rights Issues

35. 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).

Conclusion

36. As mentioned above, there is no specific policy objection to the conversion of larger dwellings into smaller units in the adopted Local Plan. Neither are there compelling housing needs that support the retention of large homes in this part of the Borough. Nonetheless, the proposal complies with the relevant Local Plan policies in relation to design, residential standards, parking / highway safety and amenity impact. For the reasons set out above, the proposed development is satisfactory and therefore recommended for approval.

Recommendation

Permit

- A** With delegated authority to the Planning Applications and Building Control Manager or the Strategic Development and Delivery Manager to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto; and,
- B** Subject to planning conditions and notes, including those dealing with the subject matters identified below, (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any ‘pre-commencement’ based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.
1. 3-year standard condition
 2. Approved Plans
 3. Single person occupancy condition
 4. Materials in accordance with the submitted details
 5. Retention of parking spaces
 6. Landscaping details of the rear amenity space
 7. Available for inspection

Notes to Applicant

- Working with the Applicant
- List of plans/documents approved
- Construction practices (including hours of construction, avoiding burning of controlled waste, and minimising dust emissions)

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 PA/2023/0218)

Contact Officer: Sally Hodgson
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Telephone: (01233) 330724

Application Number	PA/2023/0503
Location	13, 15, 17 and 19, Mill View, Willesborough, Ashford, TN24 0EL
Grid Reference	602661, 141711
Parish Council	Willesborough
Ward	Willesborough
Application Description	Redevelopment of site to provide 4no dwellings and associated parking and landscaping, to replace previously demolished terrace of four dwellings following extensive structural damage
Applicant	Mrs Sharon Williams, Ashford Borough Council
Agent	Mrs Elizabeth Mitchell, Ashford Borough Council
Site Area	0.23ha (approx. 1234sqm)

Introduction

1. This application relates to a housing scheme (4 dwellings) proposed by Ashford Borough Council. It is anticipated that these will be affordable housing.

Site and Surroundings

2. The site lies in a residential area of Willesborough, to the south east of Ashford's town centre, at the junction of Mill View with Osborne Road. It occupies an area of approximately 0.2 hectares (ha).
3. The properties surrounding the site are a mixture of one and two-storey terraced and semi-detached houses, predominantly constructed of red or brown brick with low-pitched concrete interlocking tile roofs and some tile hanging to the upper storeys.
4. The site was previously occupied by a single terrace of four dwellings. The mix comprised - 2no. 3 bedroom 5 person dwellings; 1no. 3 bedroom 4 person dwelling and 1no. 2 bedroom 4 person dwelling.

5. The terrace was demolished in spring 2022 following a major gas explosion in May 2021 which destroyed one of the properties and seriously damaged the adjoining properties.
6. A site location plan is shown in Figures 1 and 2 below.

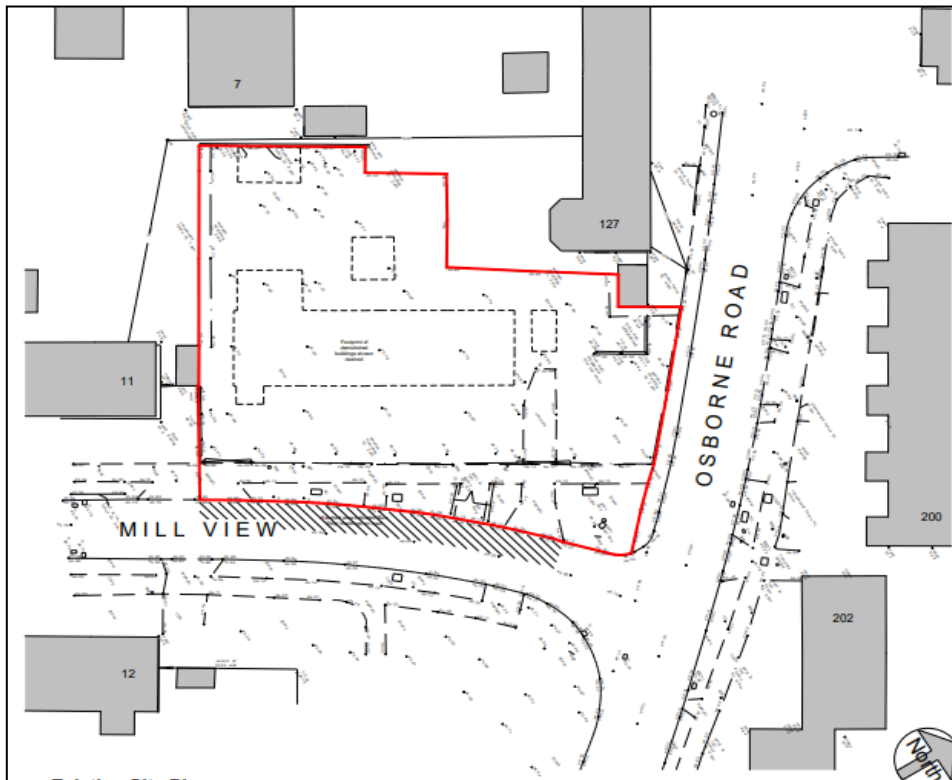


Figure 1 - Site Location Plan



Figure 2 - Location Plan

7. It is understood that one of the properties was privately owned and was purchased by the Council after the explosion.

Background and Proposal

8. The Strategic Housing Market Assessment (SHMA), updated in January 2017, sets out a need for 368 new affordable dwellings per year. The SHMA indicates that there will be a shortfall in all affordable housing if reliant upon open market schemes delivery through planning policy, especially a large shortfall of social and affordable rented homes. Ashford is growing significantly and this will have a proportionate effect on the demand for affordable housing. It is understood that in October 2017, there were 1668 live households registered with an increasing level of applications each month. In conclusion, there is an identified need for affordable housing in Ashford.
9. Planning permission is sought for the erection of 4 dwellings that would compensate for the loss of the 4 dwellings on this site.
10. The development would follow the existing urban pattern, consisting of a pair of semi-detached houses configuration that fronts Mill View. The front façade would be set back from the adjacent terrace. The proposed footprint is slightly larger than the previous terrace and the overall height is also slightly taller. Flat entrance canopies are proposed with lighting recessed into the soffit. Red facing brick would be used, with double height string courses above the ground and first floor windows. Red concrete interlocking pan tile profile roof tiles are proposed and windows would be grey polyester powder coated aluminium composite.
11. Each dwelling would have dedicated parking spaces for two vehicles to the front. All rear gardens would have external access from pedestrian pathways adjacent to the side elevations of the dwellings. Storage areas for bins would be provided within the private rear gardens in addition to sheds for each house to have cycle storage.
12. Finally, the proposal incorporates installation of photovoltaic panels within the south-facing roofs of the houses. It would also make provision for 1 EV charging point for each dwelling.



Figure 3 - Proposed Block Plan



Figure 4 - Previous dwellings (now demolished)



Figure 5 - Front Elevations



Figure 6 - Rear Elevations

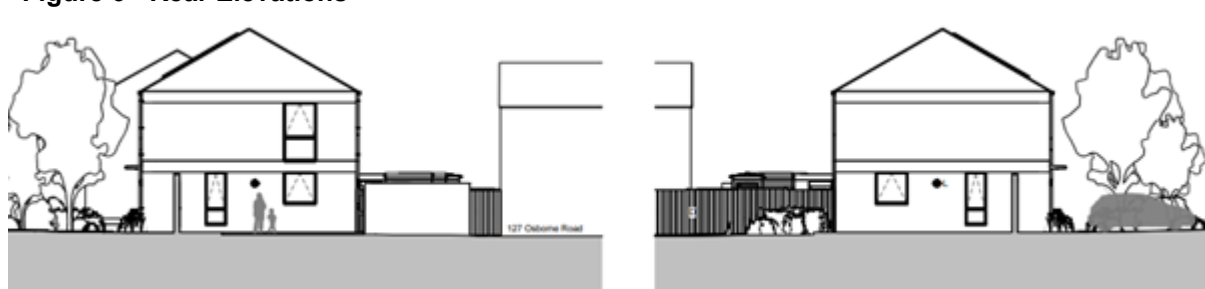


Figure 7 - Side Elevations

Planning History

13. There is no relevant planning history relating to this application.

Consultations

14. The application has been subject to formal statutory and non-statutory consultation comprising the display of a site notice, a press notice and notification letters sent to the properties in the vicinity of the application site.

15. **KCC Highways** – The development proposal does not meet the criteria to warrant involvement from the Highway Authority.

However, their previous comments that are included in the applicant's submitted documents state:

- The plans for the proposal show 4x 3 bedroom properties with 2 allocated on plot parking spaces in front of each. These will require new/expanded vehicle crossovers on the highway verge.
- Pedestrian visibility splays are shown at the edge of each driveway.
- Each property is indicated as having 1 EV Charging Point per property, which is acceptable.
- The bus stop directly in front of the row of terraces has been acknowledged in your supporting information; I do not feel that the operation of this will cause any significant impacts to the proposal or highway safety concerns.
- I note that each of the properties has a shed in the back garden which is acceptable for secure cycle storage.
- The proposal is for a replacement of dwellings and the highway impacts are minimal.
- This development would not meet the threshold in terms of size for which Ashford Borough Council Planning Team would normally consult the highway authority. If we were to be consulted I do not foresee any issues that would warrant a recommendation of refusal on highways grounds.

16. **KCC Archaeology** – No comments received to date.

17. **ABC Housing Services** – Supports the application.

- This scheme comprises four properties all of which will be for affordable / social rent (depending on any grant that can be levered into the project) and we are satisfied that the proposed buildings not only fit in with the existing street scene but are providing much needed affordable housing for households on our waiting list.
- These will be homes of good quality, future-proofed for possible adaptation in future years - with straight stair cases and adaptable bathrooms.
- Green measures will be implemented as outlined.
- These homes are the product of discussions between multiple officers in the housing service. They represent an holistic approach to delivering the new homes on the site.

18. ABC Environmental Health

- The original property was demolished in 2022 after a gas explosion (from portable gas heater) damaged the properties.
- The applicant has submitted a Phase 1 desk study and site walkover report (Leap Ref: LP3219 15/2/22). The report identified a number of potential contaminants from the previous building and from the explosion/fire damage along with suspected asbestos containing material. The report requests an intrusive site investigation to establish the extent and level of risk. We note the prior uses of the site, and the potential for contamination that may pose a risk to the environment and public. We would therefore request conditions are applied in order to ensure that contamination is subject to assessment and remediation where required. Conditions also recommended for reporting of unexpected contamination and a lighting condition.

19. **Neighbours** – 18 consulted. No comments received.

Planning Policy

20. The Development Plan for Ashford borough comprises the Ashford Local Plan 2030 (adopted February 2019), along with the Chilmington Green Area Action Plan (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), the Boughton Aluph and Eastwell Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022), the Charing Neighbourhood Plan (2023), and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
21. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
22. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Local Plan to 2030

- SP1 - Strategic Objectives
- SP2 - The Strategic Approach to Housing Delivery
- SP6 - Promoting High Quality Design
- HOU3a - Residential Windfall Development

- HOU12 - Residential space standards
- HOU15 - Private external open space
- ENV1 - Biodiversity
- ENV4 - Light pollution and promoting dark skies
- ENV5 - Protecting important rural features
- ENV6 - Flood Risk
- ENV7 - Water Efficiency
- ENV9 - Sustainable drainage
- ENV15 - Archaeology
- TRA3a - Parking standards for residential development
- TRA6 - Provision for cycling

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

Supplementary Planning Guidance/Documents

- Fibre to the Premises SPD, 2020
- Residential Space and Layout SPD 2011(now external space only)
- Residential Parking and Design SPD 2010
- Sustainable Drainage SPD 2010
- Dark Skies SPD 2014.

Informal Design Guidance

- Informal Design Guidance Note 1 (2014): Residential layouts & wheeled bins
- Informal Design Guidance Note 2 (2014): Screening containers at home

National Planning Policy Framework (NPPF) 2021

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 NPPF. The NPPF states 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:-

- 2. Achieving sustainable Development
- 4. Decision Making

- 5. Delivering a sufficient supply of homes
- 12. Achieving Well Designed Places

Planning Practice Guidance (PPG)

Technical housing standards – nationally described space standards

Article 6(3) of the Habitats Directive; Habitats Regulations 2017

Assessment

24. The key areas for consideration in the assessment of this application are:

- Principle of development
- Impact on visual amenity
- Impact on residential amenity
- Living environment
- Impact on highways and parking
- Ecology and trees
- Archaeology
- Contamination
- Stodmarsh Catchment Area

Principle

25. The site lies within the settlement confines of Willesborough where the principle of development is considered acceptable subject to meeting the relevant criteria under policy HOU3a (Residential Windfall Development Within Settlements) of the Local Plan and other site specific considerations.

26. Policy HOU3a states that “Residential development and infilling of a scale that can be satisfactorily integrated into the existing settlement will be acceptable within the built-up confines... providing that the following requirements are met:

- a) It is of a layout, design and appearance that is appropriate to and is compatible with the character and density of the surrounding area;
- b) It would not create a significant adverse impact on the amenity of existing residents;
- c) It would not result in significant harm to or the loss of, public or private land that contributes positively to the local character of the area (including residential gardens);
- d) It would not result in significant harm to the landscape, heritage assets or biodiversity interests;

- e) It is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network;
 - f) It does not need substantial infrastructure or other facilities to support it, or otherwise proposes measures to improve or upgrade such infrastructure;
 - g) It is capable of having safe lighting and pedestrian access provided without a significant impact on neighbours or on the integrity of the street scene; and,
 - h) It would not displace an active use such as employment, leisure or community facility, unless meeting the requirements of other policies in this Plan.
27. The proposed dwellings would occupy the same site and would compensate for the loss of the 4 dwellings on this site. The principle of development is therefore acceptable.
28. They would provide housing for households on ABC's Housing Service's waiting list.

Visual Amenity

29. Local Plan policy SP6 seeks to ensure that new development is of high quality design and development should adhere to the set of design criteria listed in the policy. New development should also show how it responds positively to local design guidance, such as village design statements.
30. The proposed dwellings would be a two storey semi-detached pair in an area that is characterised by terraced and semi-detached two storey dwellings. The layout is therefore considered appropriate to and compatible with the character and density of the surrounding area.
31. The design of the houses takes inspiration from the existing adjacent houses, ensuring a cohesive visual appearance within the neighbourhood. The pitched roof design, with gable ends and simple flat roof front door canopies are satisfactory and would contribute to the design concepts of the area.
32. The dwellings would be finished in red brickwork with double height string courses above the ground and first floor windows, and red concrete interlocking pan tile profile roof tiles, which will align with surrounding context. Windows would be grey polyester powder coated aluminium composite that is different from the surrounding theme of white window frames on the surrounding properties, but this modern interpretation is considered acceptable.

33. In respect of landscaping, private external amenity for each dwelling is proposed in the form of a secure, rear garden.
34. Proposed photovoltaic panels would be provided on the front roof slope of each dwelling comprising 12no. panels per dwelling. The panels would have an all-black aesthetic with minimal frame and cell connection visibility so that overall, the visual impact would be acceptable.



Figure 8 - Rendered Views

Residential Amenity

35. Given the siting of the proposed dwellings occupying similar positions to the previous dwellings, and the relationship to the surrounding residential properties, there would be no unacceptable harm to the amenities of the adjacent occupiers in terms of overshadowing, loss of outlook or loss of privacy.

Living Environment

36. Regard must also be had to whether the proposed development would provide high standard of amenity to the future occupants. The proposed units, together with individual rooms, would be of a good size, whilst all habitable rooms would be naturally lit. The dwellings would meet the Nationally Described Space Standards in accordance with Local Plan policy HOU12.

Each dwelling would have adequate external amenity area or access to communal areas. As such, the living conditions of future occupiers would be acceptable. It would therefore comply with policy HOU15 of the local plan and paragraph 130 of the NPPF.

Highway Safety and Parking

37. The site lies in a dense urban location. Policy TRA3(a) requires development to provide adequate parking to meet the needs which would be generated, balancing this against design objectives. It requires 2 and 3 bedroom houses to provide 2 parking spaces. These figures are described as minimums.
38. Additionally, visitor parking should be provided at a rate of 0.2 parking spaces per dwelling. Spaces should be independently accessible and garages are not considered to provide car parking spaces. The parking requirement for these four dwellings would therefore be 8 car parking spaces. The proposal would make provision for 2 parking spaces per unit (8 spaces in total).
39. The parking spaces would be equipped with an EV Charging facility. To ensure these are provided a suitably worded condition will be attached.
40. The parking to the front of the dwellings would be accessed over the grass verge. As an unclassified road, this is acceptable, a view with which KCC Highways concur.
41. Cycle parking has been provided in line with ABC Local Plan 2030 Policy TRA6 with garden sheds with capacity for cycle spaces within the rear gardens of the dwellings.
42. In the light of the above, the development of four residential dwellings would not have a detrimental impact on the existing on-street parking provision i.e. the proposal would not result in an unacceptable highways impact or severe residual cumulative impacts on the road network (relevant test in the NPPF) and would therefore accord with paragraphs 110 and 111 of the NPPF.
43. The development is therefore considered acceptable in terms of highway safety and parking and complies with policy TRA3a of the local plan and paragraph 112 of the NPPF.

Ecology and Trees

44. The EU Habitats Directive, requires that the precautionary principle is applied to all new developments, to ensure that they produce no adverse impacts on European Sites. Local Plan policy ENV1 states that proposals that conserve

or enhance biodiversity will be supported. Proposals for new development should identify and seek opportunities to incorporate and enhance biodiversity. However, the site lies in an urban location and lacks any significant features to support wildlife.

45. In conclusion, the site's ecological value is limited and no conditions are considered appropriate in this regard. The matter of Stodmarsh is considered later in the report.

Archaeology

46. The site is within an area of archaeological potential. KCC Archaeology were consulted, however they offered no comment on the application. Notwithstanding this, it should be noted that the proposed footprint of the development would cover the previous footprint of the dwellings. Therefore, it is considered that the proposal is unlikely to impact upon the archaeological heritage assets underneath. In conclusion, the proposal is considered acceptable in terms of the impact on archaeology and the proposal would comply with Local Plan policy ENV15.

Contamination

47. Conditions will be added regarding the submission of a scheme to deal with contamination, reporting of unexpected contamination, lighting and the requirement for an electric vehicle charging point. An informative will be added regarding hours of construction/demolition/dust/burning of waste etc. This is in accordance with the advice from Environmental Health.

Stodmarsh Catchment Area

48. Advice has been received from Natural England in respect of the nationally and internationally designated protected sites at Stodmarsh Lakes, east of Canterbury. This relates to an increased level of nitrogen and phosphorus within the protected sites which is adversely affecting the integrity of the habitat of the lakes.
49. In accordance with established case law and the 'precautionary principle', Natural England are advising that applications for certain types of development within the Stour river catchment and / or which discharge to particular Wastewater Treatment works within the catchment should be the subject of screening under the Habitat Regulations and, consequently, subject to an Appropriate Assessment prior to any decision to grant planning permission.

50. The importance of this advice is that the site falls within the Stour catchment and the effect is that this proposal must prima facie now be considered to have a potentially significant adverse impact on the integrity of the Stodmarsh lakes, and therefore an Appropriate Assessment (AA) under the Habitats Regulations would need to be undertaken and suitable mitigation identified to achieve 'nutrient neutrality' as explained in NE's advice, in order for the Council to lawfully grant planning permission.
51. A draft Appropriate Assessment has been prepared, which is currently awaiting consultation comments from Natural England. The Appropriate Assessment report sets out that as there were dwellings on site prior to the demolition at the time of the issuing of the Natural England nutrient neutrality advice, these dwellings would be releasing wastewater and nutrients into the Stour catchment and can therefore be taken into account when determining the net increase in overnight accommodation for the scheme. In this instance the Council considers that the proposed development would not result in a net increase in dwellings (or population), compared with the previous dwellings. As such, the development achieves nutrient neutrality as there is no net increase in nutrients released from the development.
52. Under the Council's Constitution, the Head of Planning and Development already has delegated authority to exercise all functions of the Council under the Habitats Regulations. This includes preparing or considering a draft AA, consulting Natural England (NE) upon it, and amending and/or adopting it after taking into account NE's view.

Human Rights Issues

53. 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

54. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

Conclusion

55. There would be no harmful visual impact, residential impact, highways impact or any other harmful impacts as a result of the proposal. It would have a positive impact on the overall appearance and character of the wider locality and provide much needed housing.
56. The proposed development would comply with the requirements of Development Plan policy and Central Government guidance and it is therefore recommended that planning permission is granted.

Recommendation

Permit –

- A) Subject to an Appropriate Assessment being adopted by the Assistant Director – Planning & Development following consideration of any comments received from Natural England and,**
- B) Subject to planning conditions and notes, including those dealing with the subject matters identified below, (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any ‘pre-commencement’ based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.**

Conditions

1. Standard 3 year time condition
2. Development carried out in accordance with the approved plans
3. Materials in accordance with approved plans
4. Provision and retention of parking spaces
5. Electric vehicle charging points
6. Bicycle storage in accordance with approved details
7. Contamination (Land or groundwater)
8. Contamination
9. Unexpected contamination
10. Maximum lighting luminance
11. Fibre optic broadband

Notes to Applicant

- Working with the Applicant
- KCC Highways informative
- Hours of construction/demolition/burning of waste etc informative

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 PA/2023/0503)

Contact Officer: Sarah Edwards
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Application Number	PA/2023/0753
Location	16 Village Way, Hamstreet, TN26 2HX
Parish Council	Orlestone
Ward	Weald South
Application Description	Proposed single-storey rear extension with room in the roof, conversion of roof space with dormer to south elevation and roof-lights following demolition of existing conservatory.
Applicant	Raymond Frith
Agent	Mr Simon Hoyle, Coronation Villa, Bethersden Road, SMARDEN, TN27 8QT
Hectare	0.03 Hectares

Introduction

1. This application is reported to the Planning Committee because the agent's spouse is an employee of the Council.

Site and Surroundings

2. The application site comprises a semi-detached bungalow fronting Village Way, which is an unclassified road. The application is inside the built confines of Hamstreet. The site is not located in any designated areas (i.e. AONB or conservation area).

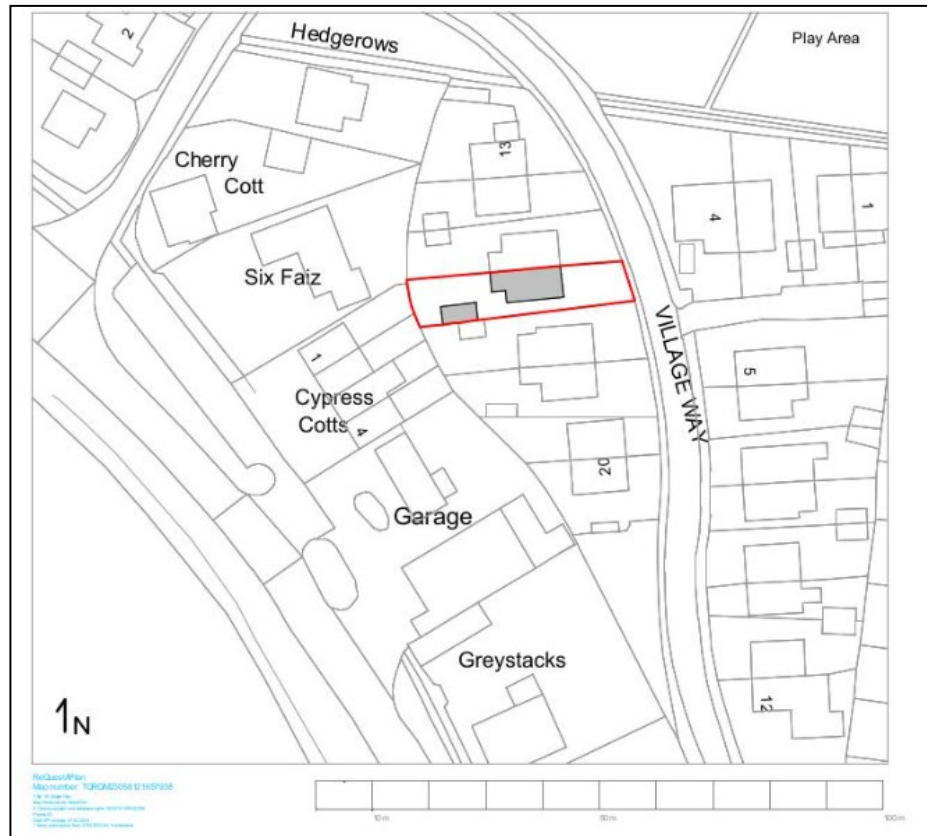


Figure 1: Location Plan

Proposal

3. This application seeks planning permission for the demolition of an existing conservatory and the erection of a single storey rear extension with room in the roof and the addition of roof lights.



Figure 2: Existing elevations



Figure 3: Proposed elevations

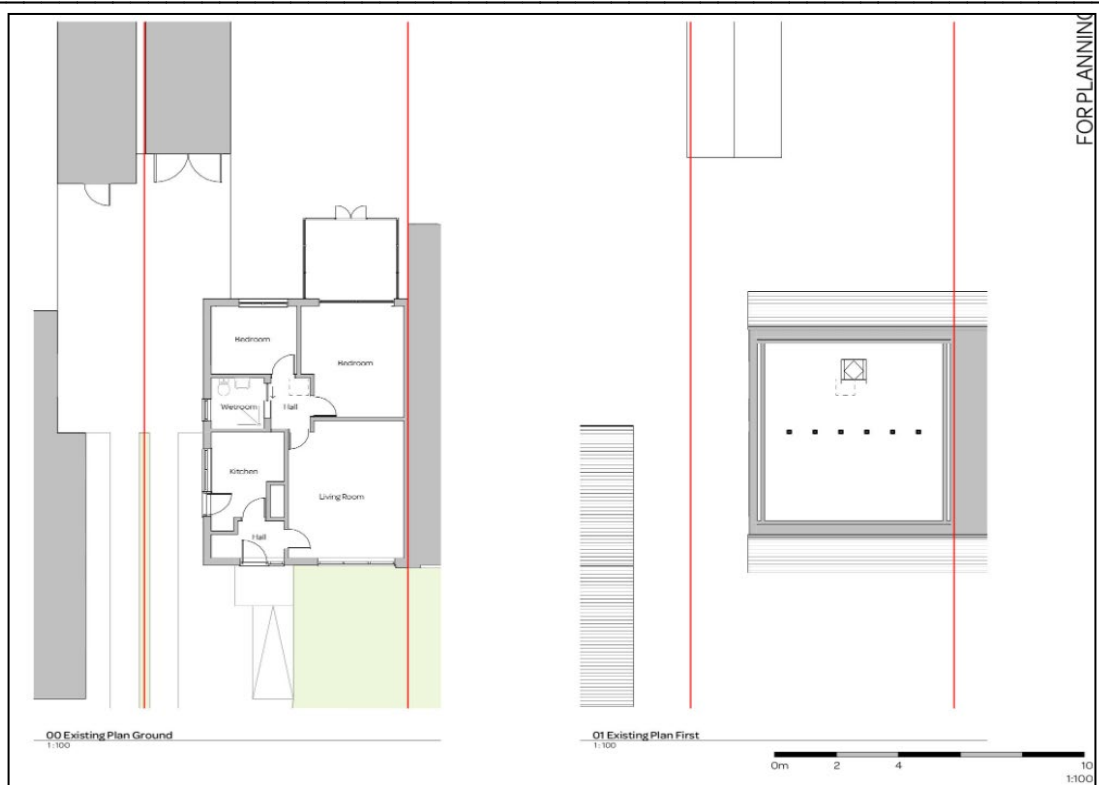


Figure 4: Existing floor plans

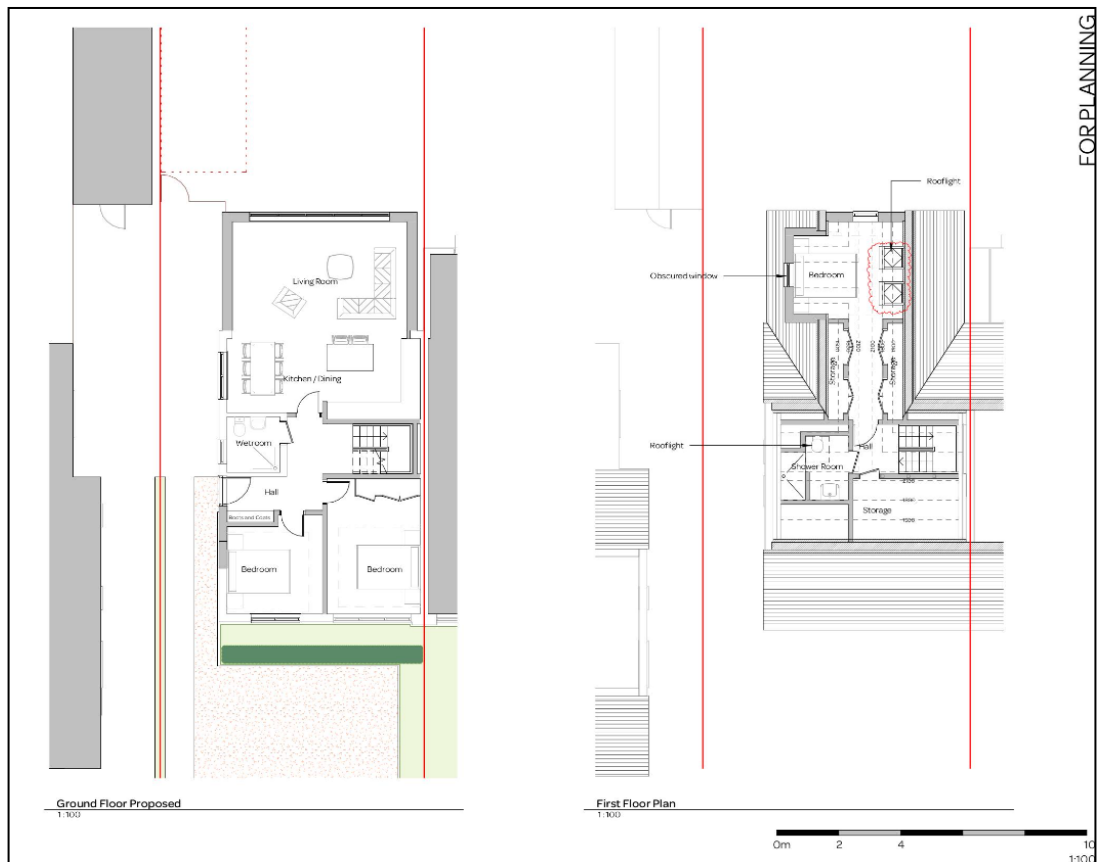


Figure 5: Proposed floor plans

Planning History

4. No relevant Planning History relating to the site.

Consultations

Ward Member: One of the Ward Members is a member of the Planning Committee. No comments have been received from the other Ward Member

Orlestone Parish Council: No letters of representation received.

Neighbours: 4 Consulted. No letters of representation received.

Planning Policy

5. The Development Plan for Ashford Borough comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), the Egerton Neighbourhood Plan (2022), the Charing Neighbourhood Plan 2023 and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
6. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Local Plan 2030 (adopted February 2019)

SP6 – Promoting High Quality Design
TRA3(a)- Parking Standards for Residential Development
HOU8- Residential Extensions
ENV3a- Landscape Character and Design

7. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

Domestic Extensions in Urban & Rural Areas SPG10

Landscape Character Assessment SPD 2011

Residential Parking and Design SPD 2010

Village Design Statements

Hamstreet Village Design Statement

Government Advice

National Planning Policy Framework (NPPF) 2021

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 NPPF. The NPPF states that less weight should be given to the policies above if they are in conflict with the NPPF.

Assessment

8. The main issues for consideration are:

- Visual amenity
- Residential amenity
- Highway safety

Visual Amenity

9. The proposed single storey rear extension, conversion of roof space with a dormer window to the south elevation and rooflights, would as a result of its size, bulk, mass, design and appearance, appear as sympathetic and subordinate addition to the main property. Whilst the proposed dormer window on the Southern elevation could be considered to be a large addition, it does not dominate the roof slope, and is therefore acceptable. It is necessary to be this size to provide adequate usable floor space to the bedroom. The proposed materials of the extension will match the existing dwelling, using brick and concrete roof tiles. I am satisfied that the proposed extension will be acceptable in visual terms.

Residential Amenity

10. Due to the single storey nature and limited scale of the extension and its siting to the rear, the proposal would not result in any overlooking or overbearing impact subject to conditions. The proposed dormer window on the Southern elevation will have obscured glazing and will only open above 1.7m in height, which will ensure no overlooking to the neighbouring property 17 Village Way. The proposed roof lights on the Northern elevation will be high level and non opening above 1.7m and as such would not cause any overlooking. I am satisfied that the proposal would not result in any unacceptable harm to residential amenity of existing residents.

Highway Safety

11. The existing dwelling is a two-bed property and the proposed works will alter this to a three-bed, therefore in accordance with Policy TRA3a, no additional off road parking is required. Also, the proposed extension would not displace any existing off street parking. I am satisfied that the proposal will not cause any harm in highway safety terms.

Human Rights Issues

12. 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

13. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

Conclusion

14. In light of the above the proposal fully accords with the Development Plan without causing any unacceptable harm and 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 development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Title	Description	Date
Existing Ground and First Floor Plans	1900 Rev P1	18 April 2023
Perspective Views	2700 Rev P1-	18 April 2023
Existing Elevations	2900 Rev P1	18 April 2023
Location and Block plan	22.115-iSA- VW-xx-DR-A-	27 April 2023
External Works	1001_P2 - 22.115.1010 p2	3 May 2023
Proposed floor plans	1100_P3	17 July 2023
Proposed elevations	2100_P4	17 July 2023

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

Reason: In the interests of the visual amenity of the locality

4. Prior to the first occupation of the development, the dormer window opening on the south elevation shown shall be fitted with obscured glass (privacy

level/grade 3 or higher) and shall be non-opening up to a minimum height of 1.7 m above the internal finished floor level and maintained as such thereafter. The velux windows on the north elevation shall be non-opening up to a minimum height of 1.7 m above the internal finished floor level and maintained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of the occupiers of neighbouring properties / the amenity of future occupiers.

5. Upon completion of the development 1 water butt that is connected to/served by a rainwater downpipe shall be installed and thereafter retained.

Reason: In the interests of mitigating climate change

Note to Applicant

1. Working with the Applicant

Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative 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 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 website (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 PA/2023/0753)

Contact Officer: Charlotte Giles
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Application Number	PA/2023/0905
Location	6, Dragonfly Close, Singleton, TN23 5GH
Grid Reference	598622 / 141810
Parish Council	Great Chart with Singleton
Ward	N/A
Application Description	Proposed conversion of loft including new roof with dormers to front elevation & roof lights to rear elevation. Single storey rear extension following demolition of existing sun room.
Applicant	Mr Mark Holsman
Agent	Mr Jeremy Page
Site Area	N/A

Introduction

1. This application is reported to the Planning Committee at the request of the Ward Member, Councillor Sally Gatherern.

Site and Surroundings

2. The application site is located within Singleton at the end of the cul de sac Dragonfly Close. The site is not within any designations. The application site comprises a detached one bed single storey dwelling. It has private amenity space to the rear. It has an existing garage to the side which is accessed off Dragonfly Close.
3. The surrounding area mainly consists of two-storey dwellings with pitched roofs. It should be noted that to the south-west of the application property, there is a two-storey terraced detached dwelling, whilst to the north-east, there is a two-storey semi-detached dwelling.

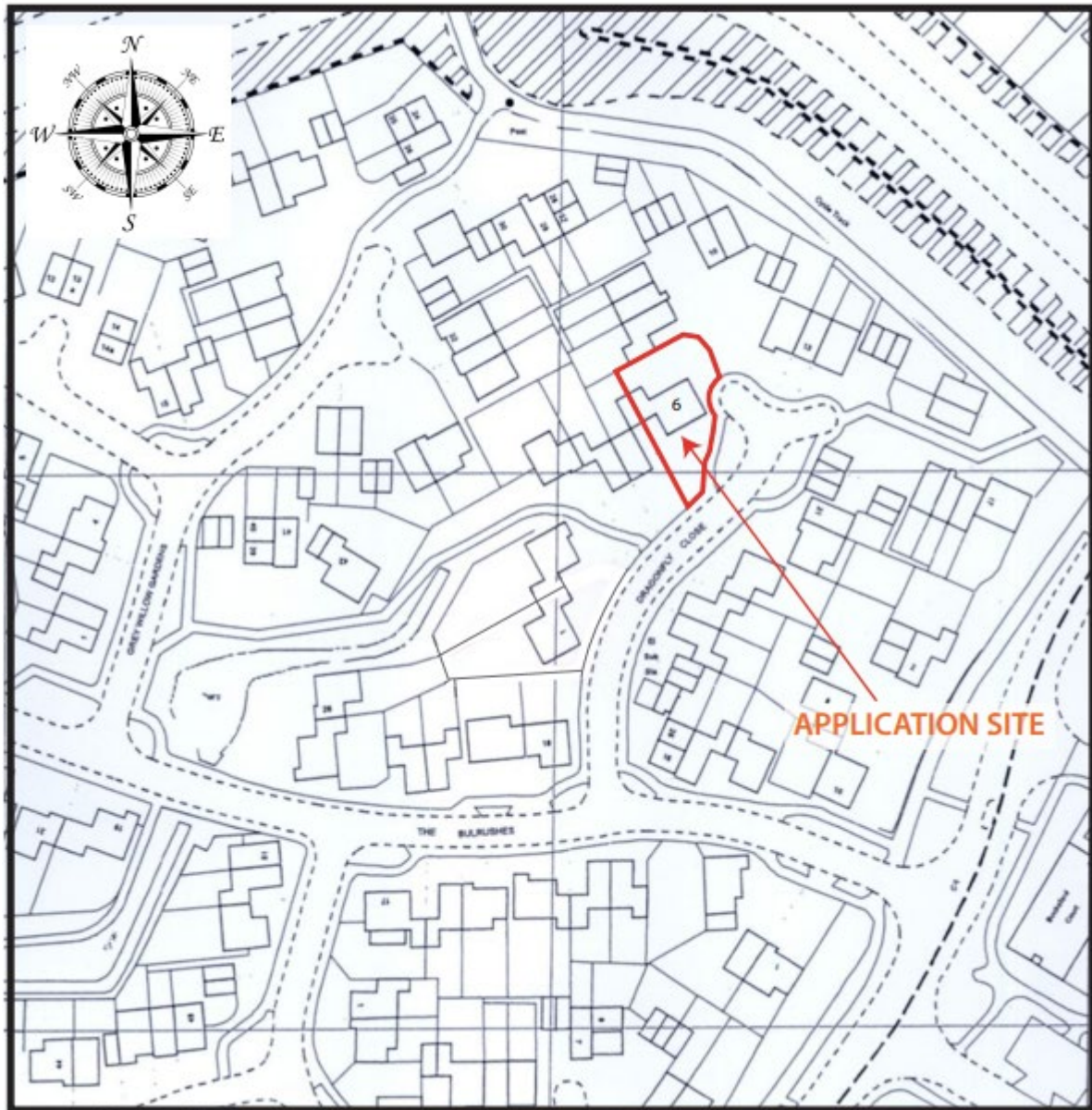


Figure 1- Site location Plan

Proposal

4. Planning permission is sought for the proposed conversion of the loft including a new roof with dormers to the south east elevation and roof lights to the north east elevation. The proposal also involves erection of a single storey rear extension to replace the existing sun room.



Figure 2- Proposed Block Plan

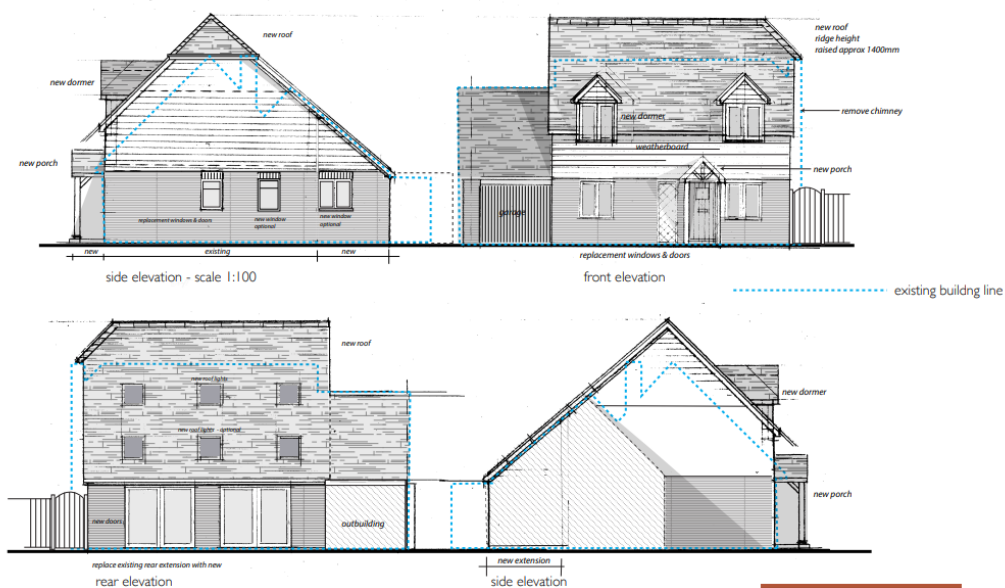


Figure 3- Proposed Elevation Plans

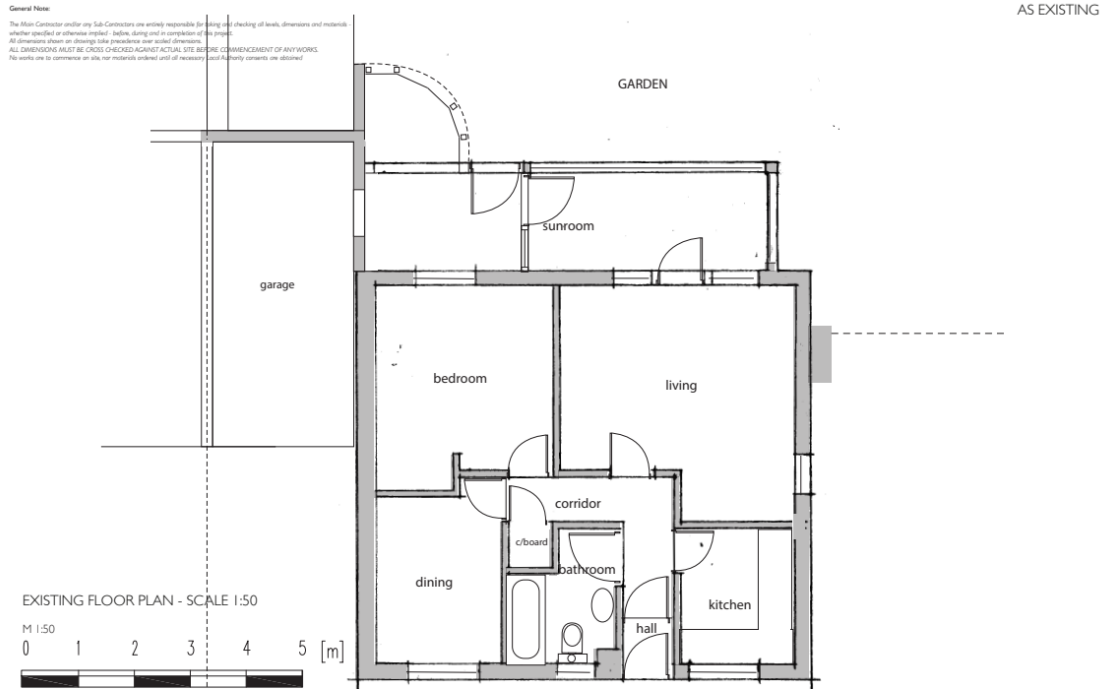


Figure 4 - Existing Floor Plans

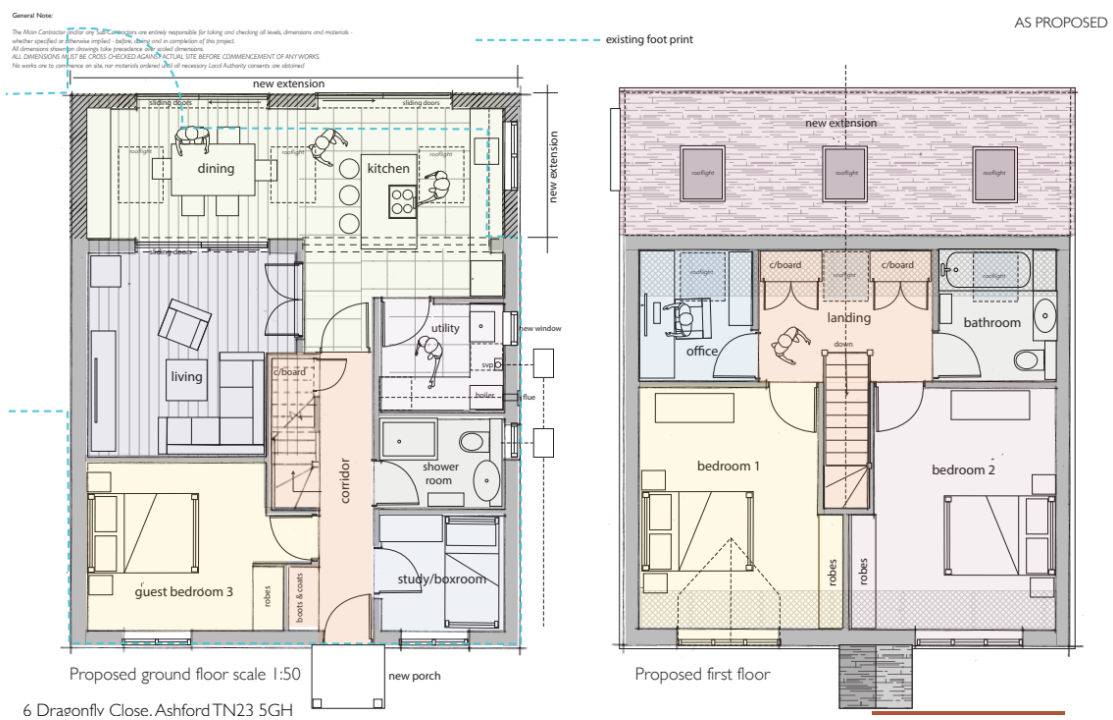


Figure 5- Proposed Floor Plans

Planning History

5. There is no relevant planning history for the site.

Consultations

Ward Member(s): Cllr Gathern has requested for the application to be determined at Planning Committee.

Parish Council: object comment, raising the following issues:

- Overdevelopment of the plot
- Lack of adequate parking provision
- Negative impact on the street scene

Public representations

8 letters of objection received raising the following matters:

- Strain on local resources.
- Loss of bungalow
- Lack of appropriate parking provision
- Loss of light impact
- Construction would cause disruption
- Overdevelopment of the plot
- Porch will change the building line negatively
- Materials

Planning Policy

6. The Development Plan for Ashford borough comprises the Ashford Local Plan 2030 (adopted February 2019), along with the Chilmington Green Area Action Plan (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), the Boughton Aluph and Eastwell Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022), the Charing Neighbourhood Plan (2023), and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
7. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town

Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).

8. The relevant policies from the Development Plan relating to this application are as follows:-
- SP1- Strategic Objectives
 - SP6 – Promoting High Quality Design
 - HOU8 - Residential Extensions
 - TRA3a - Parking Standards for Residential Development
9. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

- Domestic Extensions in Urban & Rural Areas SPG10
- Residential Parking and Design SPD 2010
- Climate Change Guidance for Development Management

Village Design Statements

N/A

Government Advice

National Planning Policy Framework (NPPF) 2021

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 NPPF. The NPPF states 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 11 of the Framework sets out a presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

1. Decision-making
2. Achieving well-designed places

Assessment

11. The main issues for consideration are:

- Impact on visual amenity
- Impact on residential amenity
- Highway safety

Impact on visual amenity

12. The proposed development would result in an increase in the ridge height of the dwelling by approximately 1.4m. It would have a chalet style appearance with a modest porch extension and a replacement single storey rear extension. Two dormers are proposed within the front roof slope of the dwelling. The dormers have pitched roofs and would comfortably sit within the front roof slope. The proposal also involves insertion of 6 rooflights within the rear roof slope. It should be noted that 3 rooflights at the bottom would serve the kitchen dining area on the ground floor whilst the other 3 rooflights would serve the office, landing and bathroom on the first floor.
13. Third party concerns have been raised regarding the loss of the bungalow and overdevelopment of the plot. It should be noted that the dwelling lies towards the end of the cul de sac which is dominated by two storey dwellinghouses. Therefore, the increase in the scale, massing and bulk of the dwelling for the creation of a chalet style dwelling would not amount to overdevelopment. Furthermore, the materials would match the existing dwelling.
14. In conclusion, the proposed development is considered appropriately sited and designed and would not cause harm to the character and appearance of the street scene. It would therefore comply with policy HOU8 of the local plan and SPG Note 10 Domestic Extensions in Urban and Rural Areas.

Impact on residential amenity

15. The proposed dormer windows would overlook the cul de sac. In respect of the rooflights, it should be noted that the three rooflights at the bottom would serve kitchen/dining area, therefore no downward overlooking would occur. Equally, the second row of rooflights would serve the office, landing and bathroom and are sited at a level that would prevent any downward overlooking. Therefore, whilst the rooflights would provide light to these spaces, it is not considered to result in unacceptable loss of privacy to the neighbouring occupants to the rear.

16. The single storey rear extension would replace the existing sun room. Whilst the footprint of the proposed extension would be slightly greater than the existing extension, having regard to the limited scale, siting and height of the proposed extension, it would not result in loss of privacy, loss of light, sense of enclosure or overshadowing. Similarly, the front porch extension is considered to be a modest addition to the host property. As such, no residential amenity impacts are envisaged from the proposal.

Impact on Highways

17. The proposed development would generate the need for an additional off-road parking space. The host property has a garage and a long drive which could accommodate another vehicle on site. Notwithstanding this, members will note that on-street parking is prevalent in the area and as such, one additional on street parking space is not considered to cause unacceptable parking pressure in the area to warrant a refusal on this basis. Therefore, the proposal is considered acceptable in terms of its highways impact. Human Rights Issues
18. 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).

Conclusion

19. The proposed development is considered acceptable and would not cause harm to the character and appearance of the street scene. It is considered acceptable in terms of the impact on visual amenity, residential amenity and highway safety. It is therefore recommended that the application is approved.

Recommendation

Permit

Subject to the following Conditions and Notes: (with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning conditions (for the

avoidance of doubt including additions, amendments and deletions) as she/he sees fit).

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 hereby permitted shall be carried out in accordance with the following approved plans and documents:

Title	Description	Date
Location Plan		12 May 2023
Climate Mitigation information		24 May 2023
Proposed Floor Plan APRIL23/DFC/PFP	APRIL23/DFC/PFP	12 May 2023
Proposed Block Plan APRIL23/DFC/PBP(A)	APRIL23/DFC/PBP(A)	24 July 2023
Proposed Exterior Elevations April23/DFC/PEE(A)	April23/DFC/PEE(A)	24 July 2023

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

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

Note to Applicant

Working with the Applicant

1. 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. The applicant is reminded of the need for the development to satisfy the requirements of the Building Regulations and in respect of climate change in particular the following documents:
- Approved Document L (Conservation of fuel and power)
 - Approved Document F (Ventilation)
 - Approved Document O (overheating)
 - Approved Document S (Infrastructure for electric charging vehicles)

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 PA/2023/0905)

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