



PLANNING COMMITTEE

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on Wednesday, 4th October, 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 6th September 2023.

[\(Public Pack\)Minutes Document for Planning Committee, 06/09/2023 19:00 \(moderngov.co.uk\)](#)

6. **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) **PA/2023/0960 - Goldenhurst Cottage, Giggers Green Road, Aldington, Ashford, Kent TN25 7BY** 9 - 16
Proposed pitched roof to replace the existing flat roof on the south west elevation
- (b) **PA/2023/0424 - Garages (1-18), to the rear of 12 and 13 Thorne Estate, Thorne Estate, Pluckley, TN27 0RD** 17 - 34
Proposed residential development comprising of 3 dwellings together with associated vehicular and pedestrian access, parking, landscaping and boundary treatments, including the demolition of some existing garages
- (c) **PA/2023/1048 - 37 The Green, Woodchurch, Ashford, Kent TN26 3PF** 35 - 54
Proposed new chalet bungalow along with associated works in the front garden of 37 The Green
- (d) **PA/2023/1182 - 7, Quantock Drive, Ashford, TN24 8QZ** 55 - 64
First-floor side extension, garage conversion, fenestration, and roof alterations to conservatory

- | | | |
|-----|--|----------|
| (e) | PA/2023/1342 - Cotton Hill House, Ruckinge Road, Hamstreet, TN26 2HW
Garden decking, balustrade, and steps | 65 - 74 |
| (f) | PA/2023/1502 - Wagoners, Water Lane, Smarden, Ashford, Kent TN27 8QB
Single-storey side extension. Double-glazed windows, and new cladding to the existing building following the demolition of the existing garage, outbuilding, and porch. | 75 - 86 |
| (g) | PA/2023/1463 - Willow Trees, Pluckley Road, Smarden, TN27 8ND
Proposed erection of front extension following demolition of existing porch, pitched roof dormer window to replace crown dormer and rear roof dormer window. | 87 - 100 |

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
25 September 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.

Application Number	PA/2023/0960
Location	Goldenhurst Cottage, Giggers Green Road, Aldington, Ashford, Kent TN25 7BY
Grid Reference	606779/ 134790
Parish Council	Aldington
Ward	Saxon Shore
Application Description	Proposed pitched roof to replace the existing flat roof on the south west elevation
Applicant	Mrs Linda Harman
Agent	N/A
Site Area	N/A

Introduction

1. This application is reported to the Planning Committee, because the applicant is the Ward Member for Saxon Shore and the Portfolio holder for Planning, Housing Delivery and Communication.

Site and Surroundings

2. The application site is located within Aldington off of Giggers Green Road. The site is within the North Downs AONB and the proposed dark skies area. The application site comprises a detached 4 bed two storey dwelling. It has private amenity area to the rear and north west. It has an existing garage to the side which is accessed off Giggers Green Road.
3. The surrounding area mainly consists of agricultural land. The two neighbouring properties are two storey listed buildings.

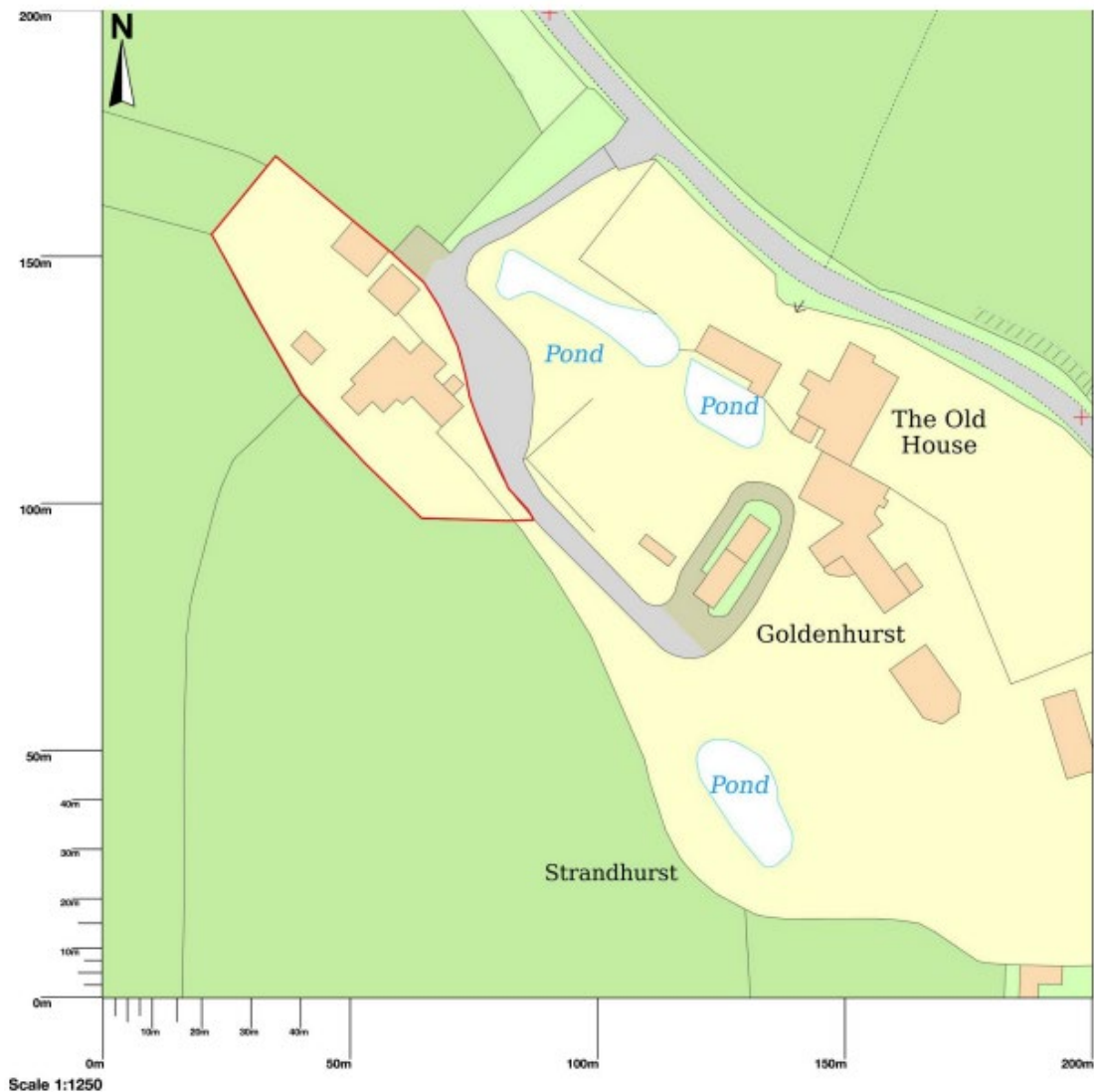


Figure 1- Site location Plan

Proposal

4. Planning permission is sought for the proposed pitched roof to replace the existing flat roof on the south west elevation.



Figure 2- Existing Elevation Plans



Figure 3- Proposed Elevation Plans

Planning History

5. The following is relevant relating to the application:
6. 17/00207/AS- erection of a replacement conservatory- Granted on 11 April 2017.

Consultations

Ward Member(s): Cllr Harman is the applicant.

Aldington and Bonnington Parish Council: has no objection to the proposal.

Public representations

No neighbour letters were received

KCC PROW: raised no objections to the proposal.

Planning Policy

7. 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).
8. 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).
9. 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
10. 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
- Dark Skies SPD 2014
- Climate Change Guidance for Development Management

Village Design Statements

Aldington and Bonnington Neighbourhood Plan

Government Advice

National Planning Policy Framework (NPPF) 2021

11. 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

12. The main issues for consideration are:

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

Impact on visual amenity

13. The proposed development would cause the height of the conservatory to increase by 1.4m. The roof style would change from a flat roof to a pitched roof. The proposed pitched roof would be tiled.
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. Given the nature of the proposed development and significant distance from the nearest neighbours, no residential amenity impacts are envisaged from the proposal.

Impact on Highways

16. The proposed development would not generate the need for any additional off-road parking as no additional bedrooms are being constructed. Therefore, the proposal is considered acceptable in terms of its highways impact.

Human Rights Issues

17. 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

18. 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		31 July 2023
Climate Mitigation Statement		31 July 2023
02_Existing Floor plans and elevations		18 September 2023
03_Proposed Plans & Elevations		18 September 2023
04_Proposed Roof Plan		12 September 2023
Proposed Site Plan		18 August 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/2023/0960)

Contact Officer: Elizabeth Wise
Email: Elizabeth.wise@ashford.gov.uk
Telephone: (01233) 330 360

Application Number	PA/2023/0424
Location	Garages (1-18), to the rear of 12 and 13 Thorne Estate, Thorne Estate, Pluckley, TN27 0RD
Grid Reference	Easting (x) 592044; Northing (y) 144800
Parish Council	Pluckley
Ward	Upper Weald
Application Description	Proposed residential development comprising of 3 dwellings together with associated vehicular and pedestrian access, parking, landscaping and boundary treatments, including the demolition of some existing garages
Applicant	Assistant Director – Housing, Sharon Williams (ABC)
Agent	Ms. Asri Asra
Site Area	0.12 ha(approx. 1000sqm)

Introduction

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

Site and Surroundings

2. The site lies within the village of Pluckley Thorne and approximately 1.1km southwest of Pluckley Village centre. Occupying an area of approximately 0.12 hectares (ha), the site is bordered by The Thorne Estate existing residential developments to the southwest and northwest, a council owned public amenity open space to the southeast and a private field to the northeast.
3. The site consists of two sets of domestic garages, totalling 18 units, with 11 of them currently being rented. Access to the garages is provided directly from The Thorne Estate.
4. A pair of bus stops are located approximately 100 meters northeast of the site on Smarden Road. The Stagecoach 10E school bus service stops at these stops, which operates between Ashford and Egerton. This service runs once in the morning and once in the afternoon Monday to Friday, school only days.

5. The nearest railway station is Pluckley Station approximately 2.4km away, which offers services hourly and at peak times there are two services an hour, providing access to Ashford International railway station. 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

the centre of the site with the end terrace houses reducing to single storey with lean to/catslide roofs. Inset entrances to the end terrace homes are proposed with a canopy over the mid terrace to define and delineate individual properties. Light red/pink brick is proposed for the base of the terrace and for the central set back 2B4P house. The end 3B5P houses would be clad in timber shingles that would start out a warm timber colour and fade to a silvery grey hue over time. Green coloured windows and doors and a brown/red clay tile roof are proposed.

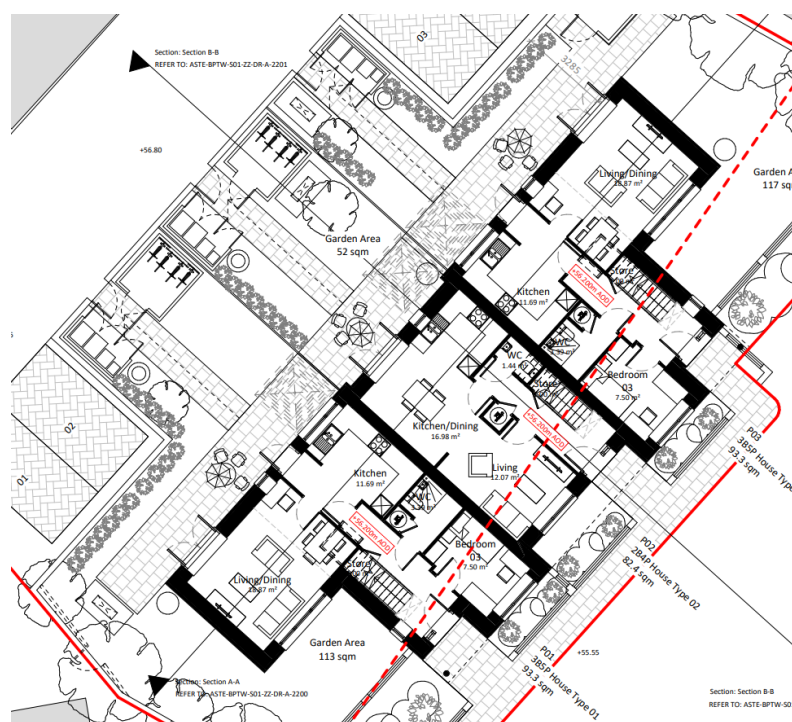


Figure 3 - Proposed Ground Floor

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 within the rear gardens with the refuse collection point shown at the entrance to the site adjacent to The Thorne Estate.
10. All rear gardens would have external access, with the back gardens of the three terrace houses being accessible from the parking/turning area adjacent to the retained garage block. The front of the properties would open out onto the council owned public amenity open space with a footpath adjacent to this and alongside the two existing bungalows (12 and 13) to provide front pedestrian access to the dwellings. A low level brick wall with piers and open railings are proposed to the front of the properties to separate them from the public amenity open space. High level brick walls and close boarded timber fencing is proposed for all other boundary treatments.
11. A small area of encroachment would occur from the site into the grassland within the public amenity open space. This would be approximately 4.8m at

the widest point adjacent to the north eastern boundary and it would taper down to 2.4m at the narrowest point. Other than the grass, there are no trees or vegetation proposed to be removed.

12. Finally, air source heat pumps, photovoltaic solar panels on the roofs, water butts, compost bins and electric car charging points would be provided for all three dwellings.

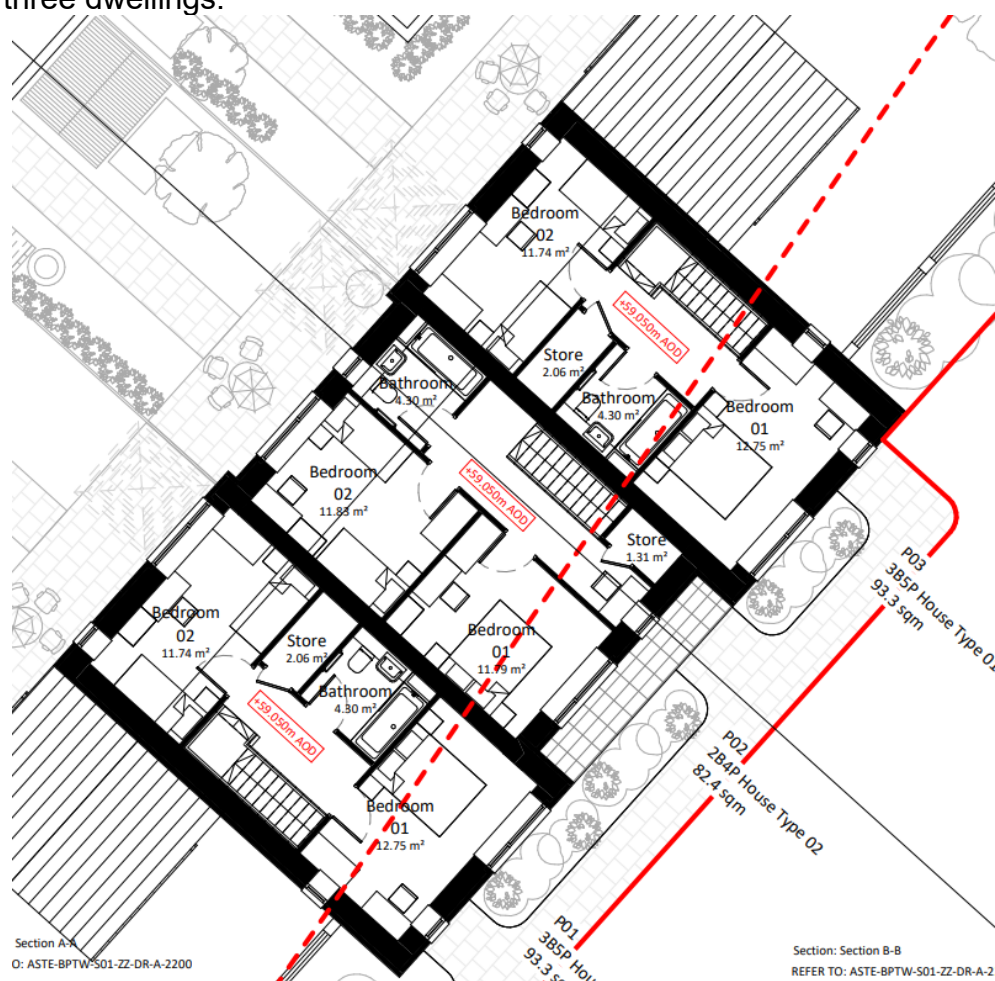


Figure 4: First Floor Plan

Planning History

- The site and its surrounding area were historically used as agriculture land of open fields as part of Thorne Farm. The surrounding Thorne Estate residential area was developed circa 1970s and remains largely unchanged.
- The site does not have any other 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.

- Pluckley Parish Council – no comments received.
- KCC Highways – no objection raised subject to an informative stating that planning permission does not convey any approval to carry out works on or affecting the public highway.
- Kent Police – no comments received.
- KCC Biodiversity - sufficient ecological information has been provided. No objection subject to conditions for a biodiversity lighting design plan and a biodiversity enhancement plan.
- Kent Fire and Rescue - the access requirements for the Fire and Rescue Service have not been met at this stage. Details provided show inadequate access for the fire service. Applicants should be aware that in the event of planning permission being granted, the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established. Fire Service access and facility provisions are also a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.
- ABC Environmental Services - Refuse Collection - the communal refuse collection point needs to be within 10m of where the RCV passes. As there will be 3 bins (up to 6 if residents subscribe to the garden waste service) presented in one location this is classed as a communal collection point. The developer needs to be aware of the requirement to pay for the provision of new services (full sets of wheeled bins) to these premises when completed. Collections will be on an alternate weekly basis with refuse and food waste collected week one, recycling and food waste collected week two.
- ABC Housing Services - Affordable Housing – Support. This application by the housing service at Ashford Borough Council has been in the planning for many, many months. It has sought the views of stakeholders along the way, as outlined in the submission documentation. Close working with the parish council from the outset on the possibility of the site's use and also a detailed consultation with local residents can be evidenced. The upshot of which is a scheme, which following pre-planning advice was revised to comprise of three homes. This is a proportionate scheme and there is absolutely an identifiable need for this scheme based on the work of the parish council and the housing waiting list. The proposed homes are of good quality and will all be affordable, that is to say as close to social rent as possible, to make them genuinely affordable homes. We fully endorse this application.

- Environmental Protection – no objection raised subject to conditions in relation to EV Charging, land or groundwater contamination, unexpected contamination, No occupation until sewage disposal works have been completed and an informative in respect of construction/demolition hours, no burning of controlled waste and minimising dust emissions.

Neighbours

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

- Proposal is contrary to green belt philosophy and protocol.
- Encroachment into public green space. Could set a precedent for future development.
- The two storey design out of keeping with adjacent bungalows and the other dwellings on the estate.
- Overlooking concerns.
- Overbearing concerns.
- Bungalows would be preferable to avoid overlooking.
- The proposed middle dwelling has inadequate private outdoor amenity space.
- The estate already lacks adequate parking spaces for the existing dwellings and three new dwellings would exacerbate this by removing existing parking provision.
- Many dropped kerbs, which already restricts kerbside parking.
- Parked cars already restrict views at the entrance to the estate.
- Parked cars already hinder emergency vehicle access.
- The entrance to the site is narrow with poor visibility onto the estate road.
- Narrow entrance to the rear of the proposed houses with an existing dwelling opening onto this.
- The development would obstruct the existing farm access through double fence gates that allow egress to adjacent paddocks. It is not clear that the plans have taken this access requirement into consideration.
- No local primary school places available.
- Doctor's surgery already very full.
- No nearby bus service or bus stops.
- No pedestrian footpath to the station.
- Proposed location of refuse bins in the car park is unsuitable.
- Construction vehicles, machinery and construction material storage could cause problems outside of the site.
- Noise pollution from construction activities.
- No Stodmarsh assessment.
- Inconsistency on plans regarding cycle storage and bin storage.

Planning Policy

14. 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).

15. The Local Plan polices 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)

16. Pluckley Neighbourhood Plan 2016 – 2031 policies relevant to this application are as follows:

- R1 Landscape Character and Design
- R4 Recreation and Community Use
- H1A Windfall sites
- H2A Design Standards
- H2C Lighting
- E2 Seek better Communications
- E3 Traffic management through the parish

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) 2023
- 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 Residential Amenity
- Living conditions of the future occupants
- Impact on Highways
- Stodmarsh Catchment Area
- Impact on Ecology and Trees

Principle of development

19. The site lies within the settlement confines of Pluckley Thorne. 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, which in this instance is Pluckley Neighbourhood Plan 2016 – 2031.
- 22. It is noted that the majority of the neighbouring houses are bungalows and semi-detached and terraced houses dating back to around the 1970s. The houses surrounding the site are fairly uniform although there are variations in respect of the house type on either side of the road with further variations in detailing and porch designs. A pair of semi-detached bungalows (no.12 and no.13) are immediately adjacent to the site. In respect of roof forms, pitched side gables prevail with a number of front gables. The key elements include entrance porches and brick chimneys. In terms of the materials palette, it is predominantly brick with variation in brick colour, UPVC/metal fenestration and clay red/brown tiled roofs.
- 23. The proposed houses would be sited to follow the frontage of no.12 and no.13 Thorne Estate and continue along, turning the corner to fully complete the existing urban grain with rear gardens and amenities to the back. The main frontage of the terrace and new pedestrian access route will provide an active frontage and natural surveillance to the open public amenity space. The design of the houses takes inspiration from the existing adjacent houses, ensuring a cohesive visual appearance within the neighbourhood. A two storey element is at the centre of the terrace with the end terrace houses reduced to single storey to complement the adjacent no.12 and no.13.
- 24. A front gable is proposed for the end terrace homes, referencing the semi-detached properties on Thorne Estate (such as no.14-15 opposite) with the mid terrace house inset to create interest and demarcate the different house types. The 3-bed end of terrace homes have a single storey living space with

lean-to roofs that reference the large mansard roofs along Smarden Road. Inset entrances to the end terrace homes are proposed with a continuous canopy over the mid terrace.

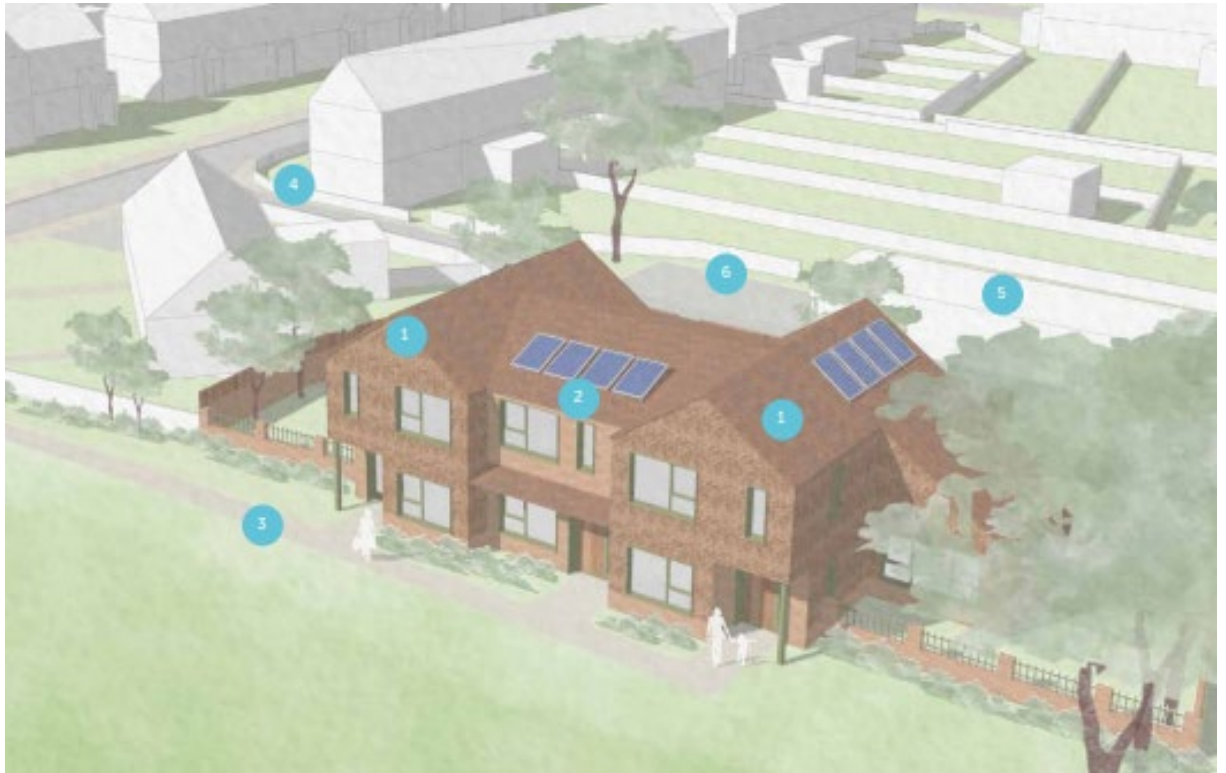


Figure 5: Rendered View



Figure 6: Rendered View

25. 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. The two end terrace homes will also have garden space to the side in order to offset the area at the rear that will form the onsite parking. Planted borders will be incorporated to the front of the dwellings with low brick walls and railings to provide a clear division and separation between the public amenity open space.
26. The development would result in a small encroachment (4.8m) into the public open space amenity area. This encroachment would be minimal and would allow the amenity space to continue to be enjoyed by local residents. This is in accordance with the Neighbourhood Plan, which states the importance of its continued use as a leisure facility by the local residents and is to be maintained as such.
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, policies R1, H1A and H2A of the Pluckley Neighbourhood Plan and paragraph 130 of the National Planning Policy Framework.

Residential Amenity

28. The application site has a rectangular shape, fronts the public amenity open space and is surrounded by houses on three sides with accesses off The Thorne Estate. 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. Having regard for the sufficient separation distances, it is not considered that the proposed development would not cause loss of light, sense of enclosure or overshadowing to the neighbouring occupiers. Having regard to the above, 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 a 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 the public amenity open space. 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 an 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 2/3 bedroom houses 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. Spaces for the 3B5P homes would be located directly adjacent to their rear garden and the parking spaces for the 2B4P would be located opposite, adjacent to the retained existing garages. 2 no. unallocated visitors' spaces are also proposed. The proposal would therefore 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 facilities. It is understood that these would be provided via a wall mounted socket charging point (such as a Solo Smart Charger) fixed to the rear garden walls for where vehicles are directly adjacent to the dwellings and standing EVC points would be provided adjacent to the car parking spaces opposite the dwellings to eliminate trailing cables across the access. 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 an Access Strategy, which includes a survey of the garages. This concludes that 11 out of the 18 garages are rented. 7 garages are rented to 3 properties on Thorne Estate; with 2 of the properties renting three each. The 3 properties renting garages have off street parking opportunities that will not be affected by this development. 4 garages are rented to people not registered in a property within the area local to the garage site. The survey alongside adequate off street parking as well as retention of 6 of the existing garages and additional parking for no.12 and 13 Thorne Estate ensures that the development would not negatively impact parking provision for existing residents.

34. KCC Highways have raised no objection or offered any comments in respect of the proposed development, however, a number of conditions will be attached including a construction management plan, retention of parking provision and EV Charging points.
35. Bin collection points are shown on land within the applicant's ownership within 10m of where the RCV passes, which is considered to be acceptable. Further to the comments from Kent Fire and Rescue that fire tender will be unable to serve the dwellings via Thorne Estate, the applicant states that the potential space for water sprinkler storage locations is not currently shown as this is to be developed and coordinated during the detailed design stage. As such, this can be conditioned to ensure provision is made for a sprinkler system and that Fire Service access and facility provisions are also a requirement under the Building Regulations.
36. The neighbour comment regarding loss of access to the adjacent paddock is noted. However, it has not been identified that ABC (as the owners of the development site) have conferred a formal right of way to the owner of the adjacent piece of land. This access does therefore not form a material consideration in determining the application.
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 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.

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 area 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 Preliminary Ecological Appraisal (PEA) to rule out the presence of any protected species on the site.

46. The PEA revealed that the site lacks priority habitats and the amenity grassland has limited ecological value.
47. The site and garages have negligible potential for supporting roosting bats. Nevertheless, the survey notes that the site is bordered to the north/northeast by tree-lines and tall grassland/scrub habitat, which are highly likely to be used by foraging and commuting bats. Whilst no further survey work is recommended, a sensitive lighting design strategy is recommended, which can be secured by condition. 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.
48. 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 PEA. 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

49. 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

50. The application site meets the definition of previously developed land (PDL) as defined at Annex 2 of the NPPF. The 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 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. Provision and retention of permanent parking spaces
5. EV Charging points
6. Cycle parking
7. Contamination (Land or groundwater)
8. Reporting of unexpected contamination
9. Foul water disposal
10. Bin Storage
11. Sprinkler system and Fire Service access and facility provisions under the Building Regulations.
12. Submission of material samples
13. Landscaping scheme
14. PD rights removed [Classes A (extensions), B (Dormers), D (porches) and E (outbuildings)]
15. Fibre optic broadband
16. Scheme of biodiversity enhancements

Notes to Applicant

1. Working with the Applicant

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: Sarah Edwards
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Application Number	PA/2023/1048
Location	37 The Green, Woodchurch, Ashford, Kent TN26 3PF
Parish Council	Woodchurch
Ward	Weald South
Application Description	Proposed new chalet bungalow along with associated works in the front garden of 37 The Green
Applicant	Mr Stuart Kemp
Agent	Mr Chris McMullon (Sevencroft Ltd)
Site Area	0.0524 Hectares

Introduction

1. This application is reported to the Planning Committee at the request of Cllr. Aline Hicks.

Site and Surroundings

2. The application site is located on the northern side of The Green and sited within the built confines of Woodchurch. The site is also located within the Woodchurch conservation area and forms part of the Woodchurch Undulating Farmlands landscape character area. The site lies outside of the Stour Catchment. The application site comprises a front garden area and driveway associated with No. 37 The Green. The said driveway is accessed via an existing access off The Green and by an access way which runs along the eastern boundary of the site.
3. To the north of the application site is a former oast house which has been converted into two dwellings (No's 37 and 37A The Green) and a converted barn beyond that. There are also residential properties to the west of the site. To the east of the site is Place Farmhouse (No. 39 The Green) which is a grade II listed building. To the south of the site is Woodchurch village Green.

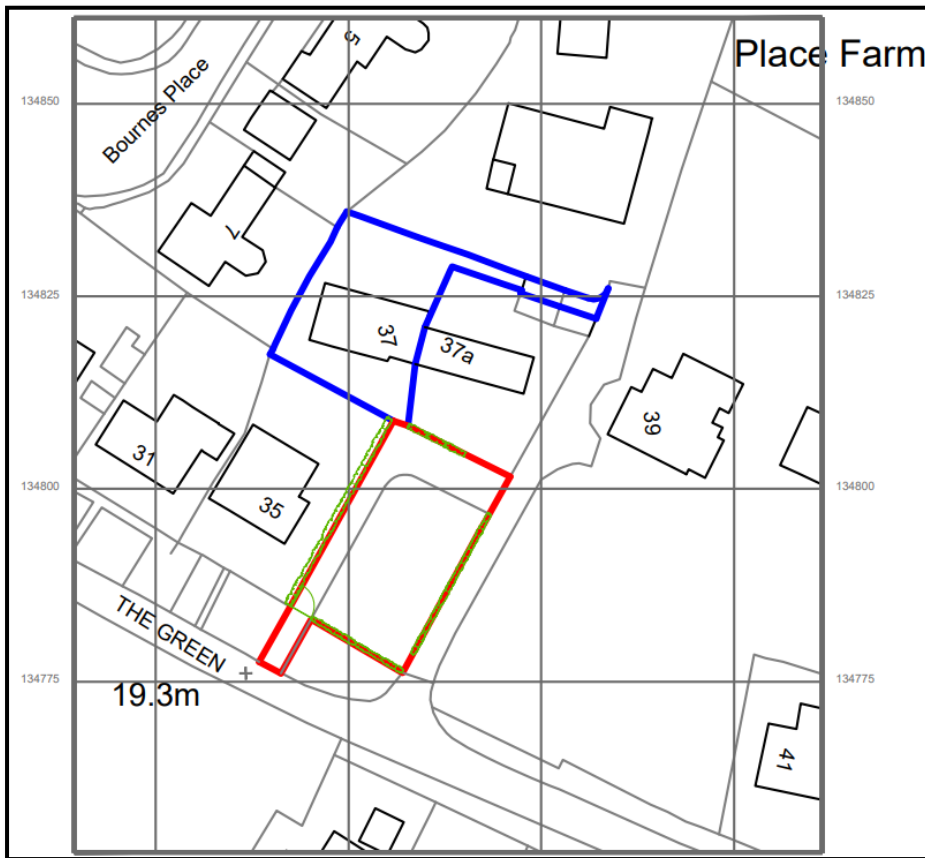


Figure 1 - Site Location Plan



Figure 2 – Aerial Photo

Proposal

4. The application seeks planning permission for the erection of a single two bedroom chalet bungalow with associated amenity space and car parking provision. The roof of the proposed chalet bungalow would be made of handmade Plain tiles and the walls made of stock bricks and white weatherboarding, all of which would match the local vernacular. The proposed dwelling would have a kitchen / dining area, a utility room, a lounge, a hallway, a shower room and an office at ground floor level and two en-suite bedrooms at first floor level within the roof.
5. The proposal would also provide a parking space and means of access for No. 37 The Green to the north of the site.



Figure 3 – Proposed Groundscape Pan

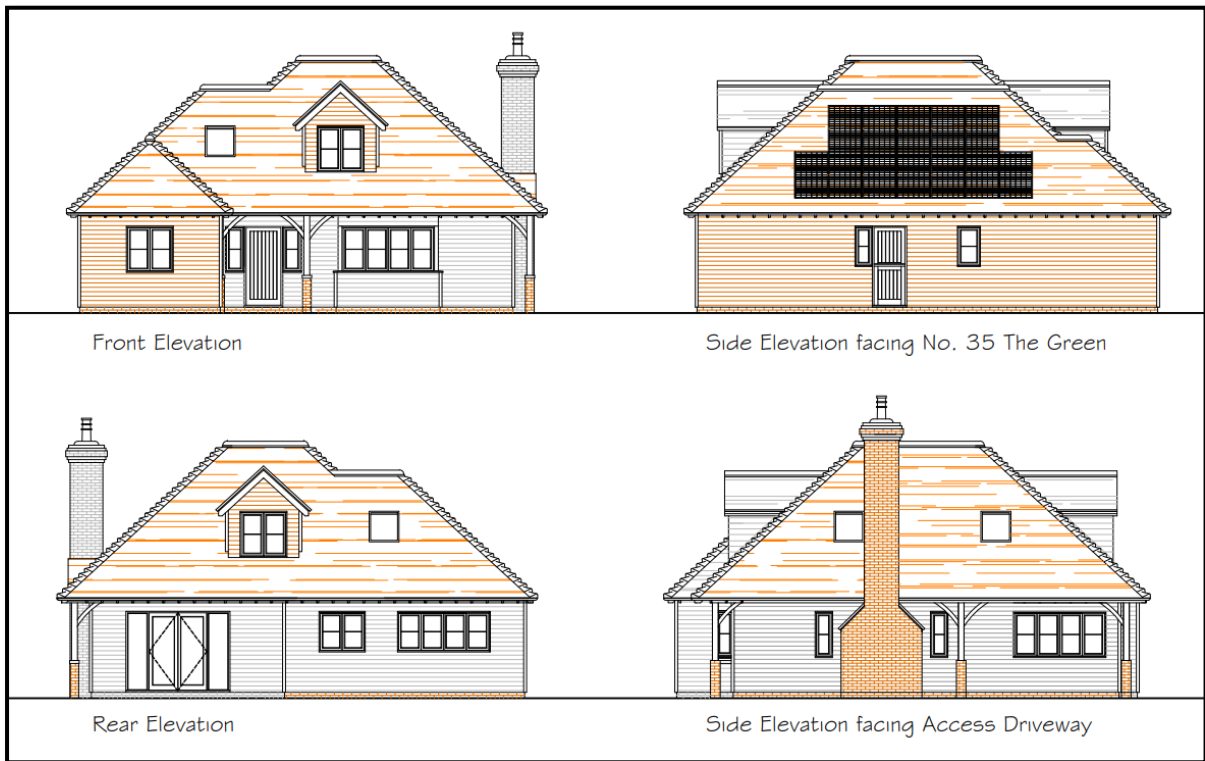


Figure 4 – Proposed Elevations



Figure 5 – Street Scene Elevation

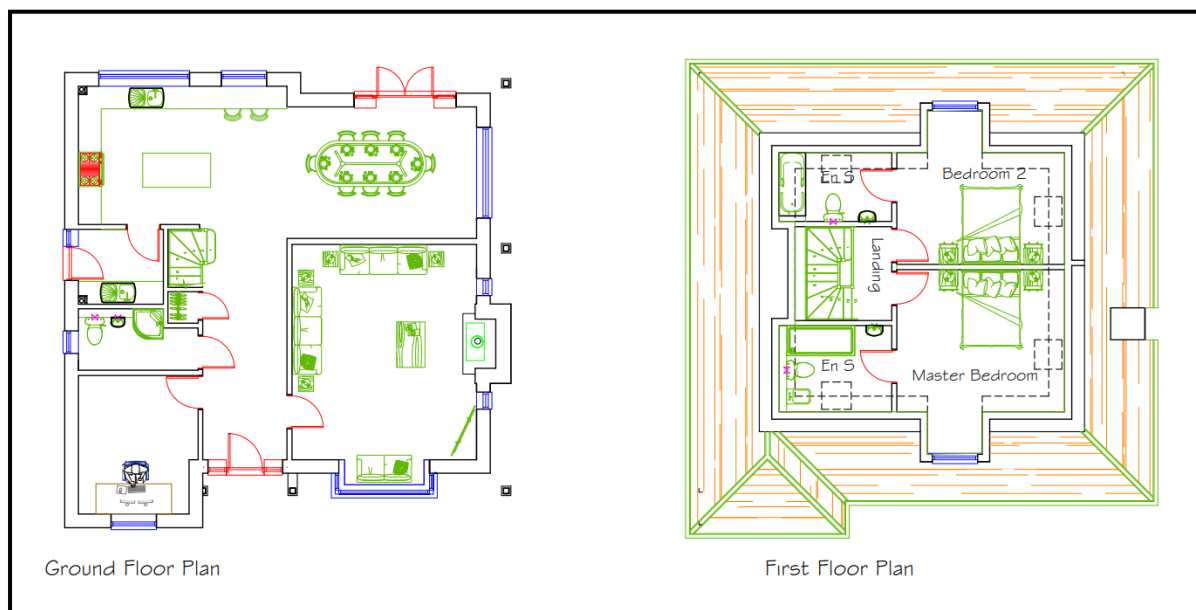


Figure 6 – Floor Plans

Planning History

6. There have been two previous schemes for larger dwellings on the site (application references 22/00744/AS and PA/2022/2277) both withdrawn following officer concerns.

Consultations

7. 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.
8. Ward Members
 - Cllr. David Ledger – Is a member of the Planning Committee.
 - Cllr. Aline Hicks - Objects to the proposal and has asked for the application to be reported to the Planning Committee.
9. KH&T –The proposals will utilise an existing vehicle access that has been in use for over a decade. This access has excellent visibility splays for the 30mph speed limit. Adequate car parking is also proposed for the chalet bungalow. Consequently, they have no objections.
10. KCC Biodiversity – They highlight that no ecological information has been submitted with this application. However, as a result of reviewing the data they have available, and the information submitted with the planning

application, they advise that the proposed development has limited potential to result in significant ecological impacts. They state that they have taken this view as the photos provided by the planning application suggests that the site is a well managed garden which is predominately mown grassland and the site is surrounded by hard standing. As such, they are satisfied that there is no requirement for an ecological survey to be carried out at this time. They have no objection to the proposal subject to the inclusion of an ecological enhancement condition and a nesting bird informative within any permission.

11. KCC Heritage – They highlight that the site of proposed works lies within the complex of a 19th century farm which may also be part of the 17th century farm complex of Place Farm. No 37 is identifiable on the 1st Ed OS map and this site is highlighted in the Historic England Farmstead Survey. Remains associated with 19th century or earlier agrarian heritage may survive on site. In view of the archaeological potential, they recommend an archaeological works condition is placed on any forthcoming planning permission.

12. Woodchurch Parish Council – Objects to the proposal for the following reasons:
 - The erection of the dwelling on the front garden of No. 37 will create a tandem development. The block of 4 dwellings (No's 35, 37, 37A The Green and the proposed dwelling) would appear cramped and atypical of the more open form of the conservation area.
 - The development would harm the nature and character of the village, the conservation area and the adjacent heritage site. The applicant has failed to fully consider the impacts.
 - The proposal would neither preserve nor enhance the visual amenity of the conservation area.
 - The scheme would affect views into and out of the Conservation area.
 - The proposed layout with the front and side parking areas would be out of keeping with the traditional layout / form of the surrounding built form. Car parking would appear preferential to front gardens.
 - The proposal would affect the views from the adjoining properties.
 - The dwelling would affect the views of the adjacent listed building.
 - The direct vehicle access from The Green would be over land registered as Town and Village Green land and not owned by the applicant. The applicant cannot claim rights over such land and the existing access is not lawful.
 - The proposal would increase the use of the unauthorised access onto The Green.
 - The dwelling would harm the amenities of No's 35 and 37A The Green in terms of privacy, outlook, overbearing impact and loss of light.
 - The proposal would lead to foul water drainage issues.
 - The proposal needs to ensure that there would be no light pollution.
 - The benefit of providing on dwelling would not outweigh its impacts.

13. Village Green Charity (Woodchurch HUB) - The charity oversees the upkeep and management of Woodchurch Village Green, over which the applicant is proposing to use a part of for the primary vehicular access in this development. They state that whilst they have no view on the principle of development, the applicant does not have any easements entitling them to vehicle access across the Village Green land. Although the applicant has recently been using the established pedestrian access to the West of their property for occasional vehicle use, this has been through permissive access by the Village Green Charity and not through any right of easement. They say that it is not possible to grant an easement across the land without the said land first having been removed from the Town and Village Green (TVG) register. They note that whilst other properties along The Green do have vehicular accesses across the village green land, this is because otherwise they would be 'land locked'. They consider that this situation does not apply to the applicant who has access rights over the adjacent access road. Therefore, they object to the proposed access to the site.

14. They highlight that this access objection would be mitigated should the plans be amended to show vehicular access for this development to be via the entrance road to Place Farm, which lies on the south east side of their proposed parking area.

Neighbours

15. 7 neighbours were consulted on this application, as well as a site notice being put up and a press advert placed. 88 representations objecting to the scheme have been received in relation to this application, 75 of which were from the same resident. The representations raised the following concerns:
 - The proposal would appear cramped and harm the conservation area and Green heart of the village. Including views into and out of the conservation area.
 - The proposal would fail to preserve or enhance the conservation area.
 - The dwelling would harm the setting and views of the adjacent historic farmstead group and the adjacent listed building.
 - The submitted Heritage statement should be better.
 - The proposal would harm the amenities of adjoining occupiers in terms of loss of light and overshadowing.
 - The scheme would result in light pollution for adjoining properties and wider locality.
 - The proposed solar panels would create glare for adjoining occupier, even with anti-glare coating.
 - No. 35 The Green has a chimney which is not shown on the street scene elevation.

- An application was refused in 2009 for a bungalow adjacent to No. 41 The Green (south east of Place Farm) due to the visual impact on the conservation area and adjoining listed building.
- The proposed dwelling would have a similar internal area to that of No. 35 The Green. The proposal could be used to provide a greater number of bedrooms.
- The proposed dwelling would not be similar in height to No. 35 The Green.
- No. 37 The Green does not have permission to use the vehicle access over village green land. It was previously used as a pedestrian access.
- The vehicular access would continue to cause noise and odour issues.
- The proposed dormer windows, verandas and solar panels would be visually intrusive within the locality / conservation area.
- No details of tree surveys and protection provided.
- The area is abundant in wildlife and the proposal needs surveys to consider the local populations of Great Crested Newts, bats and other wildlife.
- The applicant needs to serve notice on owners of the access.
- Insufficient parking has been provided for the proposed dwelling and No. 37 The Green, leading to unacceptable on street parking taking place.
- The parking at the front of the site would appear incongruous.
- No segregation of pedestrians and vehicles in access off The Green.
- The adjoining access way only benefits right way / access to No's 37 and 37A The Green, Place Farm (No. 39 The Green) and Place Farm Barn, and not to any new dwellings.
- The site is not a garden but agricultural land.
- Any removal of permitted rights from any approved scheme would not ensure the protection of the area.
- The boundary between No. 35 The Green and the site not just a hedge but also a fence.
- Concern over the foul drainage of the proposed dwelling and the adjoining dwellings and surface water impacts.
- The proposed garden is not large enough.
- The proposal would set a precedent for other development within the area.

(Planning officer note – those material planning considerations / issues raised above will be addressed in the report).

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), 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).

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 Local Plan polices 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
- HOU10 Development of Residential Gardens
- HOU12 Residential Space Standards (internal)
- HOU14 Accessibility Standards
- HOU15 Private External Open Space
- ENV1 Biodiversity
- ENV4 Light Pollution and Promoting Dark Skies
- ENV7 Water Efficiency
- ENV9 Sustainable Drainage
- ENV13 Conservation and Enhancement of Heritage Assets
- ENV14 Conservation Areas
- ENV15 Archaeology
- TRA3a Parking Standards for Residential Development
- TRA6 Provision for Cycling

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

Supplementary Planning Guidance/Documents

- 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

Neighbourhood Plans / Village Design Statements

- Woodchurch Village Design Statement - The guidelines within the Design Statement state:

“New buildings should have design features and use materials found in the village that are typically associated with local Kentish styles...”

“The height of houses should be in proportion to those prevalent in the village - generally no more than 5 metres to the eaves...”

“Window shapes and sizes should reflect styles characteristic of the village. Dormer windows should be either gable-ended or of hipped design and lie completely above the eaves line.”

“To retain the village character, the size of new houses should be in proportion to those prevalent in the immediate area of the village as should their relationship to the road and siting within their plots.”

“New developments should respect the sense of openness in the village and seek to protect important views. The green heart of the village in the area around the Green is crucial to the open character of Woodchurch in its Wealden setting. The views towards and from the Green should be preserved for future generations.”

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) 2023
- Planning Practice Guidance
- National Design Guide 2021
- Technical Housing Standards – nationally described standards
- Article 6(3) of the Habitats Directive; Habitats Regulations 2017

ASSESSMENT

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

- Principle of Development
- Five Year Housing Land Supply

- Character and Appearance
- Residential Amenity
- Highway Safety
- Ecology & Trees
- Other material considerations

Principle of development

21. The site lies within the settlement confines of Woodchurch and is bounded by existing residential development. The proposal is of a relatively modest scale which ensures the proposal can be satisfactorily integrated into the existing settlement. Therefore, the proposal, provided it is compliant primarily with policies HOU3a (Residential Windfall Development Within Settlements) and HOU10 (Residential Development in Gardens), can be considered acceptable in principle. Policy HOU3a states:

“Policy HOU3a - Residential Windfall Development Within Settlements

Residential development and infilling of a scale that can be satisfactorily integrated into the existing settlement will be acceptable within the built-up confines of the following settlements: ...Woodchurch...

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. Where a proposal is located within, or in the setting of an AONB, it will also need to demonstrate that it is justifiable within the context of their national level of protection and conserves and enhances their natural beauty.*

Policy HOU10 will also be applied to relevant garden land applications.”

Policy HOU10 states:

“Policy HOU10 - Development of Residential Gardens

Development proposals involving the complete or partial redevelopment of residential garden land will be permitted provided the proposed development complies with the Council's external space standards as set out in Policy HOU15 and;

- a) Windfall Housing Policy HOU3a or HOU5 (as relevant);*
- b) It does not result in significant harm to the character of the area including the surrounding grain and built pattern of development, the prevailing building density, line, frontage width, building distance from the road, existing plot sizes and visual separation between dwellings; and,*
- c) It does not result in significant harm to wildlife corridors and biodiversity habitats.”*

These criteria are assessed in the following sections of this report.

Five Year Housing Land supply

- 22. The Council's latest Housing Land supply position 'Five Year Housing Land Supply Update July 2021' was published in November 2021 and covered the period from 2021 to 2026^[1]. The statement concludes that the Council can demonstrate 4.54 years' supply of land for housing.
- 23. Recent appeal decisions have found the housing land supply in a range between the July 2021 update and 3.5 years. With this being the case the Council accepts that it is unable to demonstrate a five year supply of housing land in the Borough and so paragraph 11(d) of the NPPF is engaged. Paragraph 11(d) of the NPPF states:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
-

24. The lack of 5 year housing supply means that the local plan policies are out of date, and as it is not considered that the proposal would detrimentally impact any designated heritage assets so as to warrant a refusal of the application (as detailed later in the report), it is considered that the tilted balance remains engaged and that there remains a presumption in favour of approving this development.

Character and Appearance

25. The application site comprises a partially enclosed parcel of land which is managed garden land with hedgerow boundaries. The site is a small area of open space within an otherwise built up part of the village with dwellings to the west, north and east, and forms a gap in the residential streetscape along the northern side of The Green. The development of the site would undoubtedly result in a change in the character of the application site and the loss of the said open space in this part of the conservation area.
26. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seeks to ensure the Local Planning Authority have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. This is filtered down into policies ENV13 and ENV14 of the Local Plan and guidance contained in the NPPF.
27. Although the submitted Heritage assessment is lacking in places, careful consideration has been made by officers on the impact of the scheme on the setting of the adjacent listed building, the former adjoining farmstead and the character and appearance of the conservation area.
28. Place Farm is a Grade II Listed building and together with a number of outbuildings, including an oast house and barn, it formed a farmstead. The oast house and barn are probably C19 in date, which would make them much later additions to the farm and this together with their conversion to dwellings (the oast being No's 37 & 37A The Green and the barn being Place Farm Barn) means that they are of lesser significance than the main farmhouse. However, they are historic and are part of the surviving history of Place Farm. Their location, set back from The Green with the central access track is part of the setting of this former agricultural grouping and the area of open land in front of them does make a contribution to the character of this part of the conservation area. The proposal will impact to a degree on the open character of the area and will block some views of the buildings behind. However, gaps between the proposed dwelling and No. 35 The Green and the large open expanse of land in front of Place Farm to the east of the site, would retain significant views of the listed building and former oast house, especially when

entering the village and conservation area from the east, and also when leaving the village.

29. The special character of the conservation area is not just based on this farm grouping. To the west, along The Green are a number of dwellings, each set within sizeable plots and with a defined building line. Some, but not all of these are historic buildings and they are typically two storey, with white weatherboard, some red brick and tile hanging and steep pitched or hipped roofs with clay tiles. The property adjacent to this plot (No. 35 The Green) is slightly different in that it is a chalet bungalow, but still has white weatherboard cladding with some red brick and a steep hipped, clay tile roof. To the east of the site is the edge of the village, with less dense development along the boundary with the open countryside beyond.
30. The existing chalet bungalow No. 35 The Green and this site are in front of the former oast, within what may have been historically land associated with the former farmstead. The application site is not considered to be agricultural land. Whilst that may have been the case historically (although even that is not certain), the site has been used as a residential amenity area for a considerable period of time (well in excess of 10 years) and therefore the lawful use of the site is not agricultural. The partial infilling of the said open space by No. 35 The Green has diminished the value of this small area of open space, and left a small area of land enclosed by residential development and roads / access ways. I believe that the proposal would constitute an appropriate infill site within a residential streetscape and the new house would form an extension of the linear pattern of development along The Green and would be in keeping with the established streetscape and plot pattern of the neighbouring properties. I also consider that the visual impact of the proposal on the wider conservation area would be reduced to a degree due to the overall size of the development site and the screening provided in part by the aforementioned residential development to the north and west.
31. The current proposal for a chalet bungalow is significantly reduced from the previously proposed house schemes at the site and is a reasonable reflection of the more modern bungalow adjacent, in terms of scale, details and materials (to be finalised and agreed via condition – including joinery details). Its siting within the plot continues the established pattern of development to the west, along The Green frontage. So, in this direct comparison, it will not appear out of keeping with its neighbour. In relation to the proposed parking area, this will be screened by existing hedgerows and further landscaping could provide additional screening. Therefore, I do not consider that the proposed parking provision would appear intrusive within the area. Furthermore, the degree of separation between the proposed dwelling and the properties to the rear combined with the limited scale and height of the proposed dwelling would ensure that the proposal would not appear cramped in the locality.

32. I consider that the proposed bungalow will have some impact on the setting of the adjacent listed building and the non-designated heritage assets and it will result in the loss of some of the open character of the street scene. However, the proposed development also respects and reflects the established and historic development to the west and therefore would preserve the special character of the conservation area.
33. 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. The scale, design and palette of materials would respect and complement the built development in the conversation area and the use would be compatible with the nearby residential uses.
34. Therefore, on balance the loss of this small area of open space is considered acceptable and views within and in / out of the conservation area would not be unduly affected, and the proposed scheme would not warrant refusal in heritage terms. As a result the proposals are considered to be in accordance with policies SP6, HOU3a, HOU10, ENV3a, ENV13 & ENV14 of the adopted Local Plan and paragraph 130 of the National Planning Policy Framework.

Residential Amenity

Impact on existing residents

35. As previously highlighted within the report the proposed dwelling would respect the building line of properties to the west in The Green, and would be built within the depth of the adjoining property to the west (No. 35 The Green). The location of the proposed chalet bungalow combined with its limited height and scale would mean that the new building would not harm the front or rear facades of No. 35 The Green. Nor would it detrimentally impact the external rear private amenity area of No. 35 The Green.
36. Site visits confirmed that No. 35 The Green does have some habitable room windows at ground floor level and in the roof space within its eastern flank elevation. However, I consider that as a result of the orientation and degree of separation between No. 35 The Green and the proposed dwelling (minimum of separation of 7.8m), combined with the limited height of the building and the fact that the western roof slope of the proposed dwelling would slope away from No. 35 The Green and does not contain any windows, the scheme would not detrimentally impact the amenities of the occupants of No. 35 The Green in terms of overlooking, loss of light or overbearing impact. The views afforded to the upper floor flank window of No. 35 The Green would be affected, however it is a recognised fact in legislation that properties do not have a right to a view.
37. The limited scale of the proposed chalet bungalow and degree of separation of the proposed dwelling and the adjoining properties to the rear (No's 37 and 37A

The Green) and Place Farm (No. 39 The Green) to the north east of the site, would also ensure that the proposed building would not appear overbearing or detrimentally affect the light received by any other residential neighbour either. Once again although the proposed dwelling would affect the views of the occupiers to the north of the site, those properties do not have a right to a view in legislation. I would also highlight that the occupiers of No. 37A would still be able to enjoy long range views over the front open space in front of Place Farm. The proposed chalet bungalow would have a rear dormer window which would be separated from No. 37A The Green by approximately 21m. This degree of separation is considered to be an acceptable separation distance between facing habitable rooms, which would ensure that there would no unacceptable loss of privacy between the dwellings. The main private amenity space for No. 37A The Green is to the rear of the property, so again I do not consider that the proposal would create any privacy issues for the adjoining occupiers in this regard either.

Living conditions of the future occupants

38. Regard must also be had to whether the proposed development would provide high standard of amenity to the future occupants. The proposed dwelling together with individual rooms, would be of a good size, whilst all habitable rooms would be afforded acceptable natural luminance and outlook. The dwelling would meet the Nationally Described Space Standards in accordance with Local Plan policy HOU12. I also consider that the dwelling would have adequate external private amenity area provision, and No. 37 The Green would retain an acceptable level of private amenity space provision as well. 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

39. Policy TRA3(a) requires developments to provide adequate parking to meet the needs which would be generated, balancing this against design objectives. It requires 2 and 3 bedroom dwellings to be provided with 2 car parking spaces. The said spaces should be independently accessible and garages are not considered to provide acceptable car parking spaces. The proposal would provide 3 car parking spaces for the new dwelling and adequate manoeuvring space to turn around within the site. Therefore, there the proposal would comply with the local plan parking requirements. The scheme would also ensure that No. 37 would be provided with two off street parking spaces (one in the application site and one within land owned by the applicant). This would also ensure that the appropriate levels of off street parking provision would be afforded for No. 37 The Green which is a 3 bed property.
40. I am satisfied that No. 37 The Green has rights over the access way to the east of the site to be able to utilise its parking spaces. With regard to the vehicular access to the proposed dwelling off The Green, issues have been raised in relation to ownership and access rights. During the process of the application it became apparent that the access off The Green was not owned by the applicant

and following consultation with the officers the applicant served the notice on the registered owners of the land. Representations have stated that there is not permission to be a vehicular access in this position, however, historic aerial photos show that a form of vehicular access has been in situ apparently for No. 37 The Green as far back as December 1990. Given the length of time there has been a vehicular access in this location onto The Green and given the said access would only serve one dwelling, I do not believe that the proposal would lead to an over intensification of use of the access and would not therefore create conditions prejudicial to highway safety.

41. The access appears to be lawful in planning terms as a result of the length of time it has been in situ. However, as to the access rights over the said access and land owned by the Village Green Charity, it has been indicated that the applicant has no easements over this access / land. It is important to avoid a situation of a property being built and subsequently becoming land locked without a legal access. Therefore, a condition should be imposed upon the permission requiring confirmation of the legal access rights being granted to the site / applicant before any works on site. Also a condition requiring the access to be constructed and completed prior to the dwelling being erected on the site.

Ecology and Trees

42. 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. Regard has been had to Natural England's Standing Advice which suggests that in rural areas, the likely presence of bats, breeding birds, badgers, reptiles and great crested newts could be expected.
43. KCC Biodiversity have been formally consulted on the application. Although no ecological surveys have been provided, the fact that the site comprises a well managed garden which is predominately mown grassland and a large gravel driveway and the site is surrounded by hard standing / roads on two sides, ensures that the proposed development has limited potential to impact upon protected species and their habitats. KCC Biodiversity have no objection to the proposal subject to the inclusion of an ecological enhancement condition and a nesting bird informative within any permission, both of which are included within the recommendation section of the report. In light of the above, the impact on ecology is considered acceptable.
44. The application site contains a variety of garden planting (including shrubs and other planting). The proposal would result in a loss of some vegetation on the site and therefore the proposal should provide an opportunity to provide some new planting including potentially some new small to medium scale trees within the site. The exact landscaping details could be secured by way of a condition. There is a Horse Chesnut tree in front of the site on the grass strip of land which

forms part of the wider village green. The proposed dwelling would be located a significant distance to the north of the said tree and would not detrimentally harm the said tree. Overall, no significant effects are envisaged on the nearby trees as a result of the proposed works. Therefore, the impact on existing trees is considered acceptable.

Other Material Considerations

Drainage

45. Given the limited scale of the proposal (i.e. one 2 bedroom chalet bungalow), I believe that issues relating to drainage both foul and surface water could be dealt with via condition.

Archaeology

46. KCC Heritage are satisfied that the proposal would be acceptable in archaeological terms subject to archaeological works and findings being agreed by way of a condition.

Human Rights Issues

47. 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

48. Considering the context of the site and its surroundings the proposed chalet bungalow property is considered acceptable under policy HOU3a.
49. The proposal would constitute an appropriate infill development within a predominantly built up streetscape and would be in keeping with the surrounding grain of development, plot pattern and the character and appearance of the adjoining residential development.
50. The loss of the small area of private open space would not harm the character and appearance of the conservation area and setting of the adjacent listed building, with the character and appearance and views of the conservation area and listed building being conserved. Even if there was considered to be any harm this would very much be at the lower end of less than substantial

and the public benefits of an additional house is considered to outweigh any limited harm.

51. The design, siting, scale and palette of materials would complement the immediate and wider streetscape and the dwellings would fit comfortably within the plot with policy compliant garden areas and internal living standards.
52. No residential amenity, highways safety, tree or ecology objections area raised. Similarly there would be no drainage or archaeological concerns.
53. In light of the above assessment I am satisfied that the proposed development would comply with the requirements of Development Plan policy and Central Government guidance and not result in unacceptable harm. I therefore recommend that planning permission is granted.

Recommendation

Permit

- A. 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 time-limit condition
2. Approved plans condition
3. Construction management plan
4. EV charging point
5. Unexpected contamination
6. Parking and turning space to be provided (new dwelling & No. 37 The Green)
7. Bicycle storage
8. Bin storage
9. External lighting
10. Sustainable drainage scheme
11. Foul drainage details
12. Material samples
13. Archaeology
14. Hard and soft landscaping scheme
15. Details of all walls, fences and boundary treatments
16. Details of the vehicular access
17. Remove PD rights (Classes A - E of Part 1 and Class A of Part 2 of

- Schedule 2 of the GPDO 2015 – as amended)
18. Biodiversity enhancement scheme
 19. Construction of access & confirmation of legal access rights prior to the erection of the dwelling

Notes to Applicant

1. Working with the Applicant
2. Climate Change
3. Breeding Birds 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 //AS)

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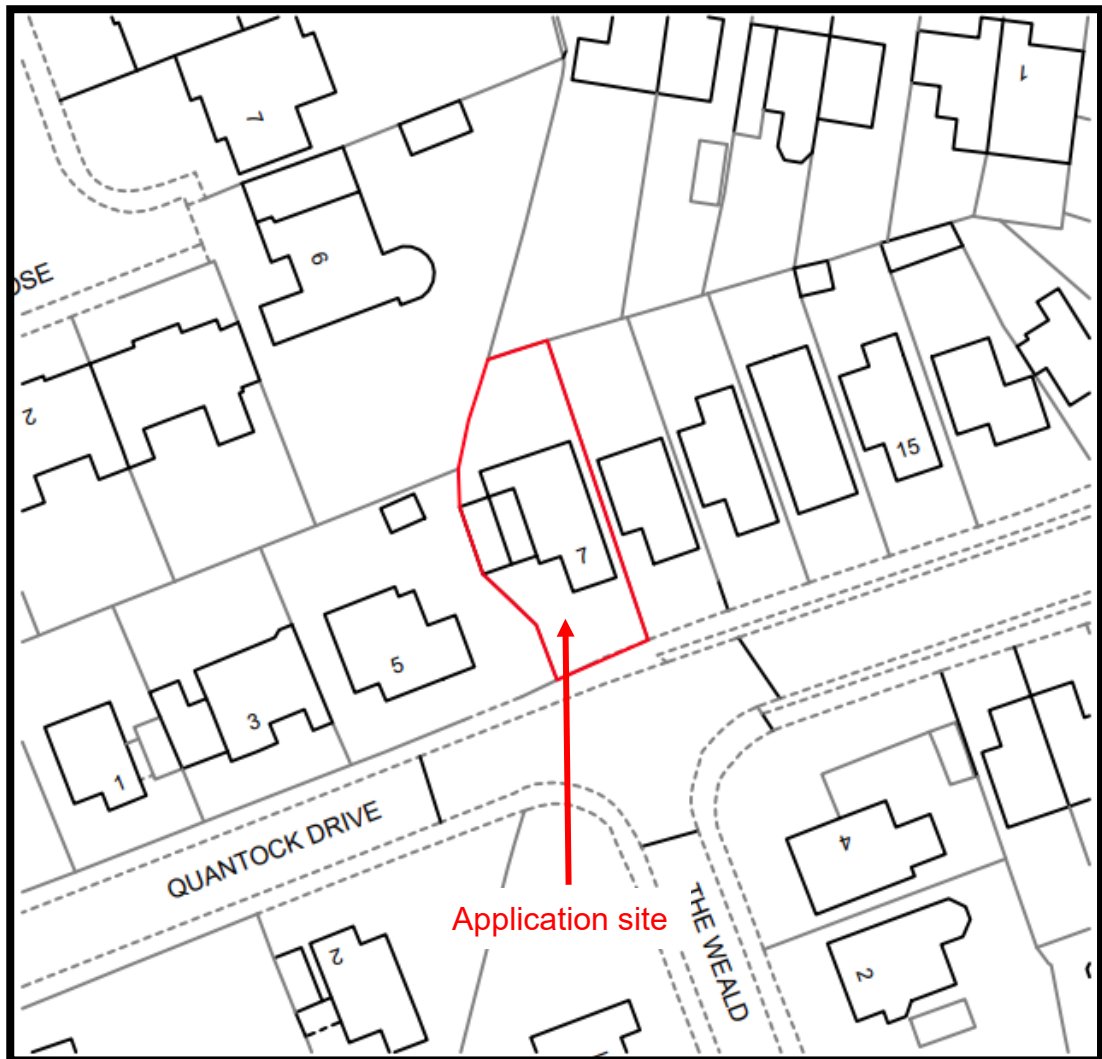
Application Number	PA/2023/1182
Location	7, Quantock Drive, Ashford, TN24 8QZ
Grid Reference	Easting 601005, Northing 143526
Parish Council	Central Ashford
Ward	Furley Ward
Application Description	First-floor side extension, garage conversion, fenestration, and roof alterations to conservatory
Applicant	Mr & Mrs Jones
Agent	Miss Parrett
Site Area	0.034 Hectares

Introduction

1. This is a householder application for planning permission, reported to the Planning Committee because the applicant is a staff member of Ashford Borough Council.

Site and Surroundings

2. The application site is located within the built confines of Ashford, to the southeastern end of Quantock Drive. The site is not within any designations.
3. The application site comprises a detached, three-bedroom, two-storey dwelling, with an integrated garage. In addition to the parking area to the front of the dwelling, the site has private amenity space to the rear.
4. The surrounding area consists predominantly of two-storey dwellings. The materials palette of the surrounding dwellings is largely the same as the application property and there is a clear and coherent design form within the street scene.



Proposal

5. Planning permission is sought for the erection of a first-floor side extension to sit above the existing garage, the conversion of the garage into habitable accommodation and for the refurbishment of the single-storey rear conservatory, including alterations to the fenestration and roof.

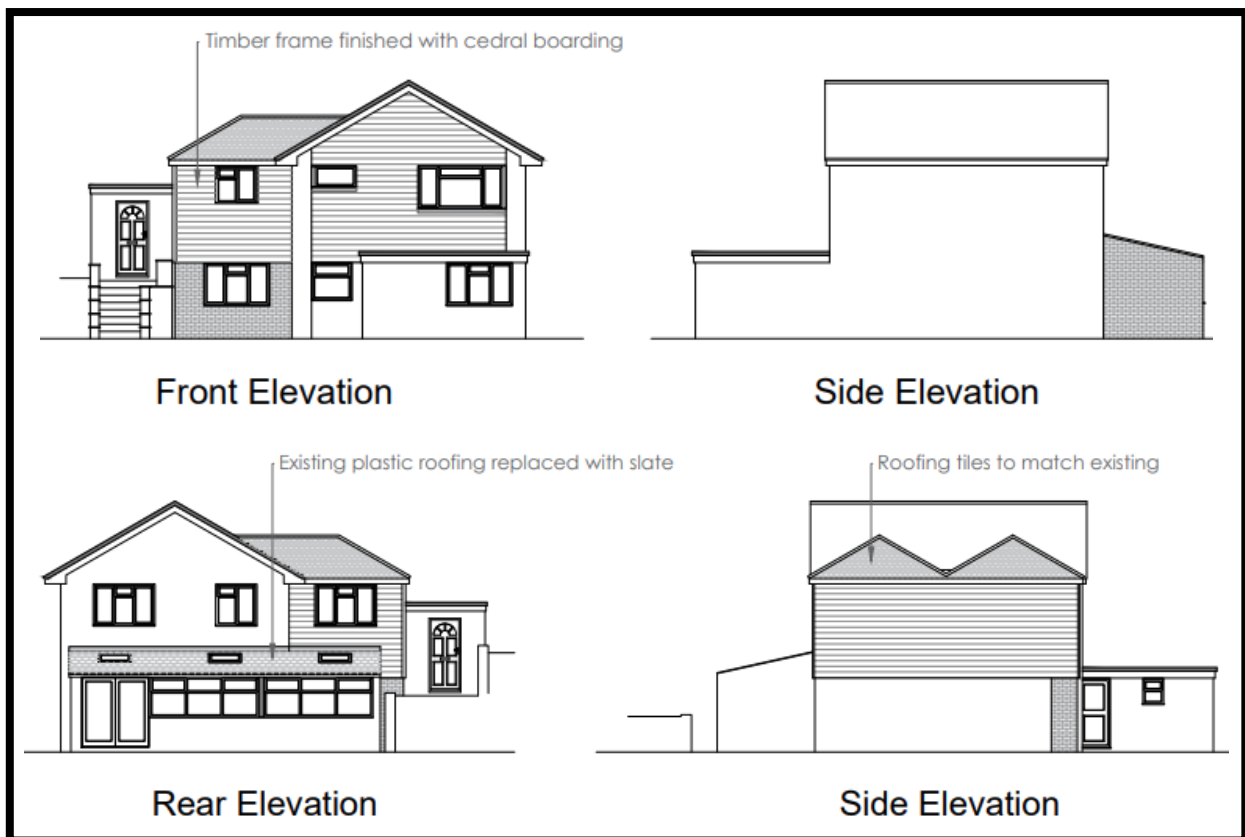
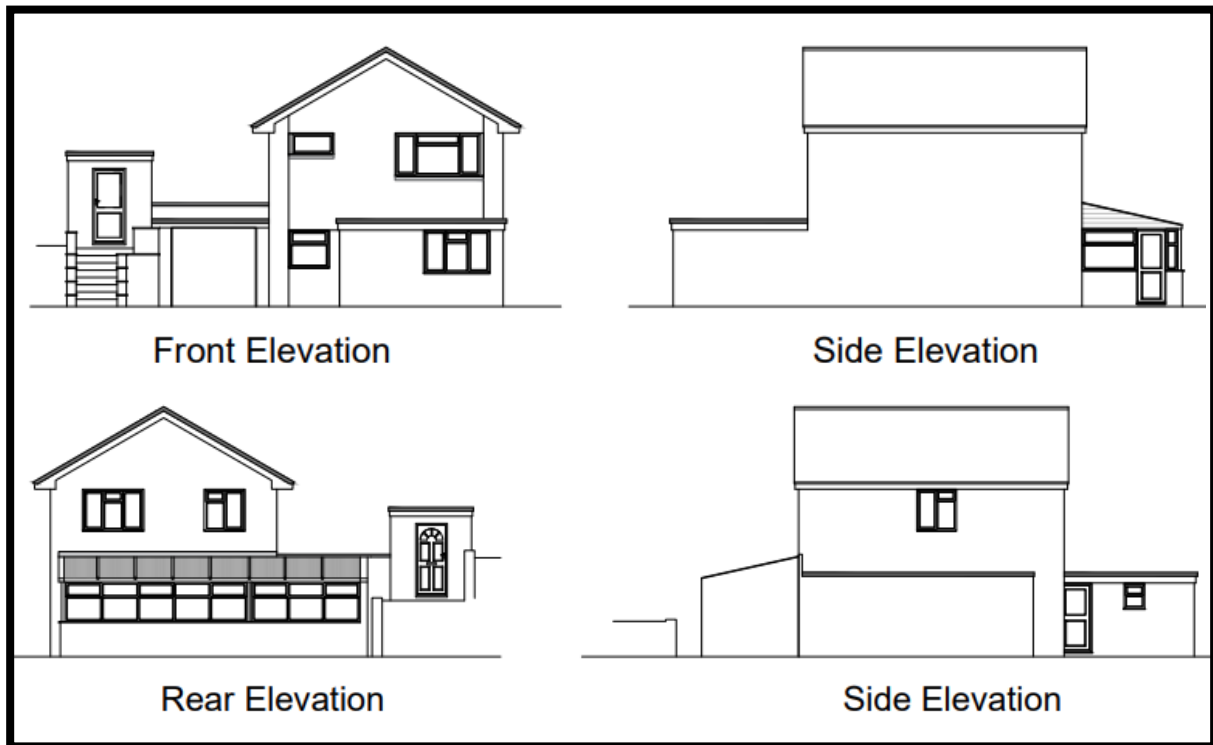




Figure 4 – Existing Floor Plan

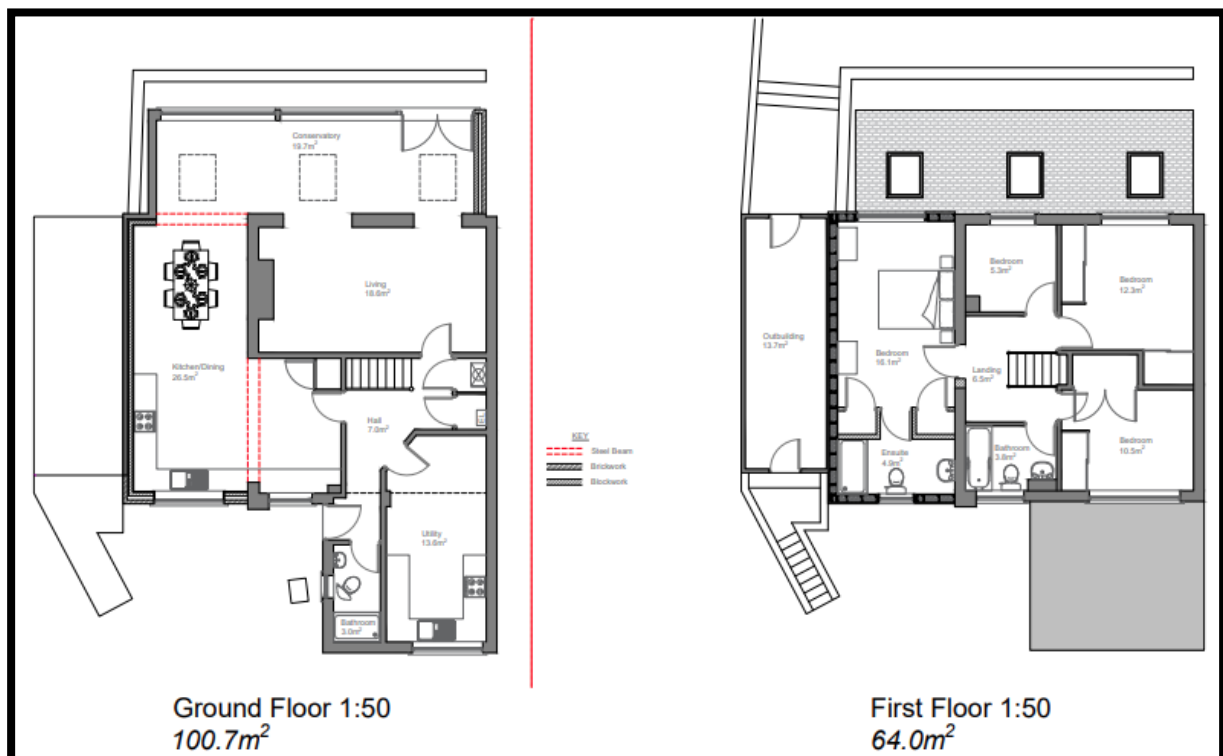


Figure 5 – Proposed Floor Plan

Planning History

6. There is no relevant planning history for this site.

Consultations

Ward Member: did not comment.

Six (6) neighbours: no letters of representation received.

Planning Policy

7. 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).
8. The relevant policies from the Development Plan relating to this application are as follows:

Ashford Local Plan 2030 (adopted February 2019):

- 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

Government Advice:

- National Planning Policy Framework (NPPF) 2021
- National Planning Policy Guidance (NPPG)

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

Visual Amenity

12. The proposed first-floor extension would be sited above the existing integrated garage and, owing to its location, to the side of the host dwelling and facing the highway, would be highly visible from the street scene. The proposed extension would have a hipped roof and would be set down approximately 1-metre below the ridge height of the main dwelling. In relation to materials, the extension and the first-floor front elevation of the host dwelling would be clad in cedar weatherboarding which would be generally consistent with the materials palette in the area. In light of the above, it is considered that the proposed first floor extension would appear as a sympathetic and subservient addition to the host property and would accord with Policy HOU8 of the local plan.

In addition to the first-floor extension, the application proposes the conversion of the existing garage into habitable accommodation. To accommodate this,

the garage, which is currently set back from the principal elevation by approximately 0.9-metres, would be extended towards the principal elevation by approximately 0.8-metres, resulting in a net increase in footprint of approximately 2.5 square metres. Additionally, the current garage door would be removed and replaced with a uPVC window unit that would match the style of fenestration at the host dwelling, with bricks that match the host dwelling used to infill the remaining space. Overall, given the minor nature of this aspect of the scheme, and the proposed use of matching materials, it is considered that the garage conversion would not result in unacceptable levels of visual harm.

13. Finally, the proposed refurbishment of the rear conservatory would involve the existing plastic roofing replaced with slate and the insertion of 3no. roof-lights. The proposed new door and replacement windows would match the style of fenestration throughout the dwelling and, therefore, would not appear incongruous. Overall, given the design of the refurbishments, it is considered that they would not amount to unacceptable levels of visual harm.
14. In light of the assessment above, it is considered that the proposal would comply with Policy HOU8 and SPG Note 10 in terms of visual amenity.

Residential Amenity

15. Owing to the design of the extension, no new windows or similar openings would be formed at first-floor level that would result in any unacceptable overlooking. Furthermore, the proposed development would not impose on the established separation distances between the dwelling and the site boundaries, ensuring that the proposal would not be overbearing or create a sense of enclosure to the neighbouring properties (5 and 9 Quantock Drive). Furthermore, owing to the level of separation between the application site and its neighbouring properties, the proposed development would not amount to any overshadowing or loss of light. Overall, it is considered that the proposed development would comply with Policy HOU8 and SPG Note 10 in terms of residential amenity.

Highway Safety

16. The proposed extension would amount to the creation of a fourth bedroom at the site which, in accordance with Policy TRA3a of the Local Plan, would increase the parking requirement from two spaces to three spaces. Building on this, the conversion of the garage is recognised as a loss of a designated parking space and, subsequently, the driveway must accommodate three

spaces. Guidance set out within the Residential Parking and Design Guidance SPD suggests that, for open spaces with a wall or fence to one side, a minimum width of 2.7-metres and length of 5 metres is required. With an approximate width of 9.5-metres and length of over 6-metres, the driveway is considered to be sufficient to meet the required number of spaces to ensure compliance with Policy TRA3a of the Local Plan. In addition, no alterations are proposed to the existing site access that would raise concerns regarding highway safety.

17. Overall, it is therefore considered that the proposal would not be of detriment to the highway safety of the site, or the surrounding road network.

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).

Working with the applicant

19. 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

20. In light of the assessment outlined above, the proposal fully accords with the Development Plan without causing any unacceptable harm. As such, it is recommended that planning permission is granted.

Recommendation

Permit

Subject to the following Conditions and Informatives:

1. 3-year standard condition
2. Approved Plans
3. Materials
4. Obscure glazing to the front-facing first-floor window serving shown on the plans to serve an ensuite.

Informatives:

1. Working with the Applicant

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)

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Application Number	PA/2023/134
Location	Cotton Hill House, Ruckinge Road, Hamstreet, TN26 2HW
Grid Reference	Easting 600372, Northing 133392
Parish Council	Orlestone Parish Council
Ward	Weald South Ward
Application Description	Garden decking, balustrade, and steps
Applicant	Mrs Williams
Agent	Mr Thomas
Site Area	0.33 hectares

Introduction

1. This is an application for the installation of garden decking with balustrade and steps at Cotton Hill House, Hamstreet. The application is reported to the Planning Committee because it is submitted by Ashford Borough Council.

Site and Surroundings

2. The application site, which is located within the built confines of Hamstreet, comprises Cotton Hill House, a housing unit which forms part of Ashford Borough Council's Independent Living Schemes. In addition to the housing units, the site comprises of a large pond and communal gardens.
3. Whilst not directly within Hamstreet Conservation Area, the conservation area boundary lies directly adjacent to the application site, to the north-west. The site is, however, within the Low Weald Landscape Character Area.



Figure 1: Site Location Plan

Proposal

4. Planning permission is sought for the proposed installation of timber garden decking with balustrade and steps. The decking would be accessed from the communal lounge and would overlook the pond.

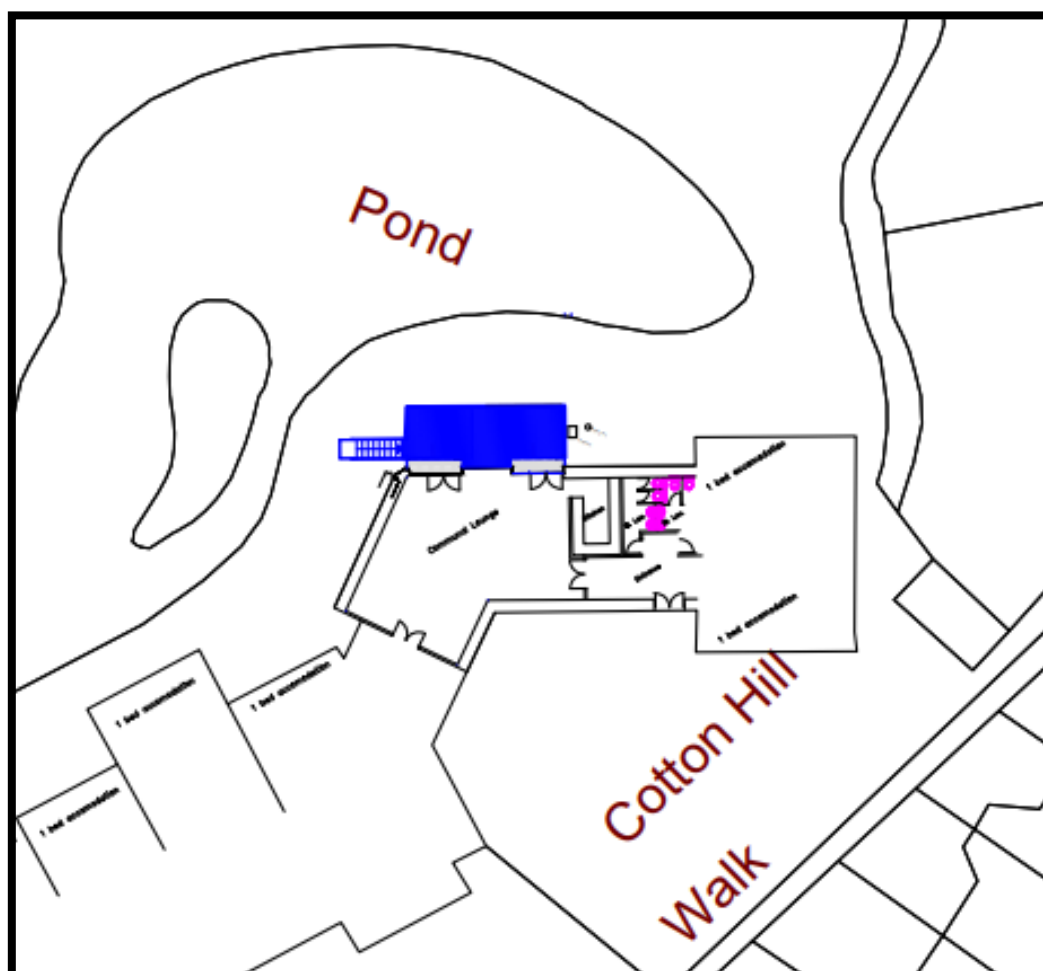


Figure 2: Proposed Block Plan

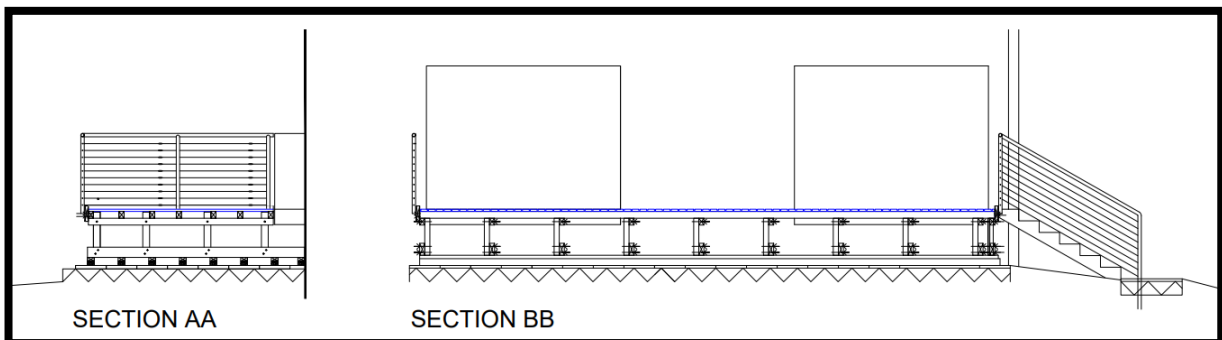
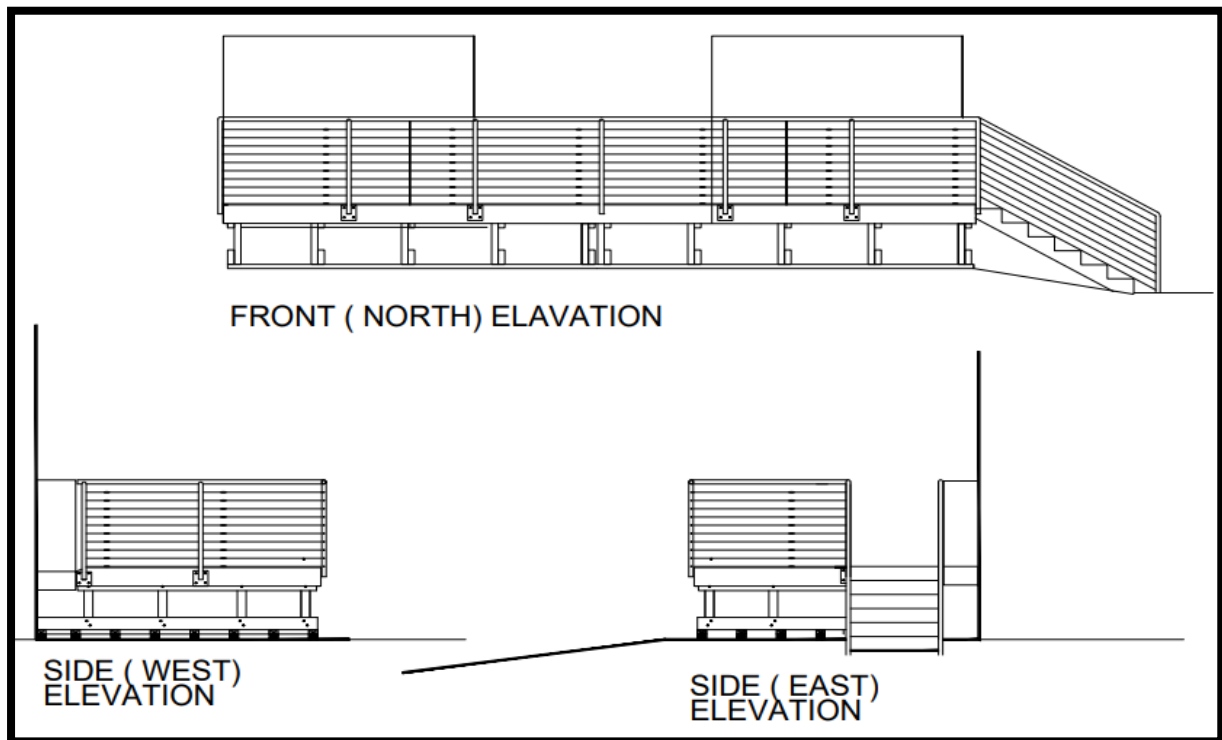


Figure 3: Proposed Elevations

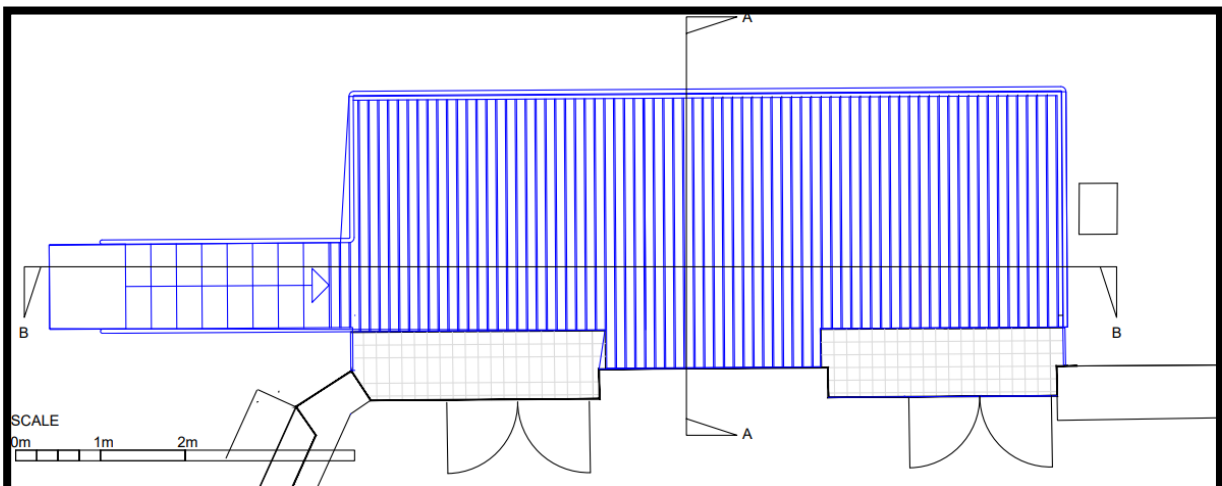


Figure 4: Proposed Sections

Figure 5: Proposed Floor Plan

Planning History

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

Consultations

Ward Member(s): No comments received.

35 Neighbours: No comments received.

Planning Policy

6. 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).

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

Ashford Local Plan 2030 (adopted February 2019)

SP1 - Strategic Objectives,

SP6 - Promoting High Quality Design,

ENV1 – Biodiversity

ENV14 – Conservation Areas

COM1 – Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Spaces

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

Supplementary Planning Guidance/Documents:

Landscape Character Assessment SPD 2011

Public Green Spaces and Water Environment SPD 2012

Village Design Statements:

Hamstreet Village Design Statement

Government Advice:

National Planning Policy Framework (NPPF) 2021

National Planning Policy Guidance (NPPG)

9. 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

10. The main issues for consideration are:

- Principle of development
- Visual Amenity
- Residential Amenity
- Highway Safety
- Ecology

Principle of development

11. The proposed development would give level access to outside space overlooking the pond, which is expected to significantly improve quality of life for those living and visiting the community facility. Regard must therefore be had for policies COM1 which states that *the provision of good quality community infrastructure and services designed around people and their cultural, leisure, health, learning, social and wellbeing needs is fundamental to the creation of strong, vibrant, healthy and sustainable communities*. In addition, Policy COM2, which explains that *recreation, sport, open space and play areas can enrich the quality of our lives and contribute towards healthy living* must also be accounted for. Given the justification outlined within the submitted design & access statement, to provide community facilities, the principle of the development is considered acceptable.

Visual Amenity

12. The proposed decking and associated balustrade and steps would be located to the western boundary of the site and would overlook the pond that fronts

Ruckinge Road. Whilst the surrounding mature trees and shrubbery would offer some shielding, the development would be visible from Ruckinge Road and the communal green space to the west of the site. Whilst, therefore, the decking would have a visual prominence, owing to its minor scale and utilisation of natural materials (timber), it is not considered that the development would appear out of place, nor would it appear incongruous when read in conjunction with its wider surroundings. On balance, it is considered that the proposal would have a low visual prominence and would be harmonious with the wider landscape so as not to cause unacceptable levels of visual harm. Therefore, owing to its appropriate design and materials palette, it is considered that the proposed development would comply with Policy SP6 in terms of visual amenity and design.

Residential Amenity

13. Given the nature of the proposed development, it is not considered that it would be detrimental to the living conditions of neighbouring residents. It is therefore not considered that the proposal would amount to any unacceptable overlooking, loss of privacy or loss of light, nor would it amount to the creation of an overbearing development that created a sense of enclosure.

Highway Safety

14. The potential for harm to the highway safety of the site as a result of the proposed development was considered, however, owing to the nature of the proposed development, it is not considered that it would amount to harm to the highway safety of the site, or the surrounding road network.

Biodiversity & Ecology

15. The application site is recognised to have ecological potential and, consequently, KCC Ecology were consulted on this proposal. Owing to the minor nature of the proposed development and the manicured condition of the garden area in which the proposed decking would be sited, it is considered that the development is unlikely to impact on the nearby designated site and protected species. As such, it was concluded that there would be no requirement for any ecological surveys to be carried out. Furthermore, owing to the minor scale of the proposal, it was not considered appropriate to impose any planning conditions to secure biodiversity details. Notwithstanding this, an informative, as recommended by the service, would be included on any grant of permission.

Human Rights Issues

16. 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

17. 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

18. In light of the above assessment, the proposed development is compliant with the relevant policies of the Ashford Local Plan 2030 and Central Government guidance. With no overriding harm identified, it is therefore recommended that the application is approved, subject to conditions.

Recommendation

Permit

Subject to the following Conditions and Notes:

1. Standard 3-year condition
2. Approved plans condition
3. Approved materials condition
4. No external lighting

Informatives

1. Working with the Applicant
2. KCC Ecology

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: Rebecca Potter
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Telephone: (01233) 330243

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Application Number	PA/2023/1502
Location	Wagoners, Water Lane, Smarden, Ashford, Kent TN27 8QB
Parish Council	Smarden
Ward	Weald North
Application Description	Single-storey side extension. Double-glazed windows, and new cladding to the existing building following the demolition of the existing garage, outbuilding, and porch.
Applicant	Mr & Mrs N & J Holland-Cowles
Agent	Mr Simon Hoyle
Site Area	0.07 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 detached bungalow with existing outbuildings fronting Water Lane, which is a C classified road. The application site lies inside the built confines of Smarden and within the Smarden Conservation area. To the southwest of the application site is the Grade II* listed property Cloth Hall and to the south east is Gilletts Farm Oast which is a Grade II listed property.

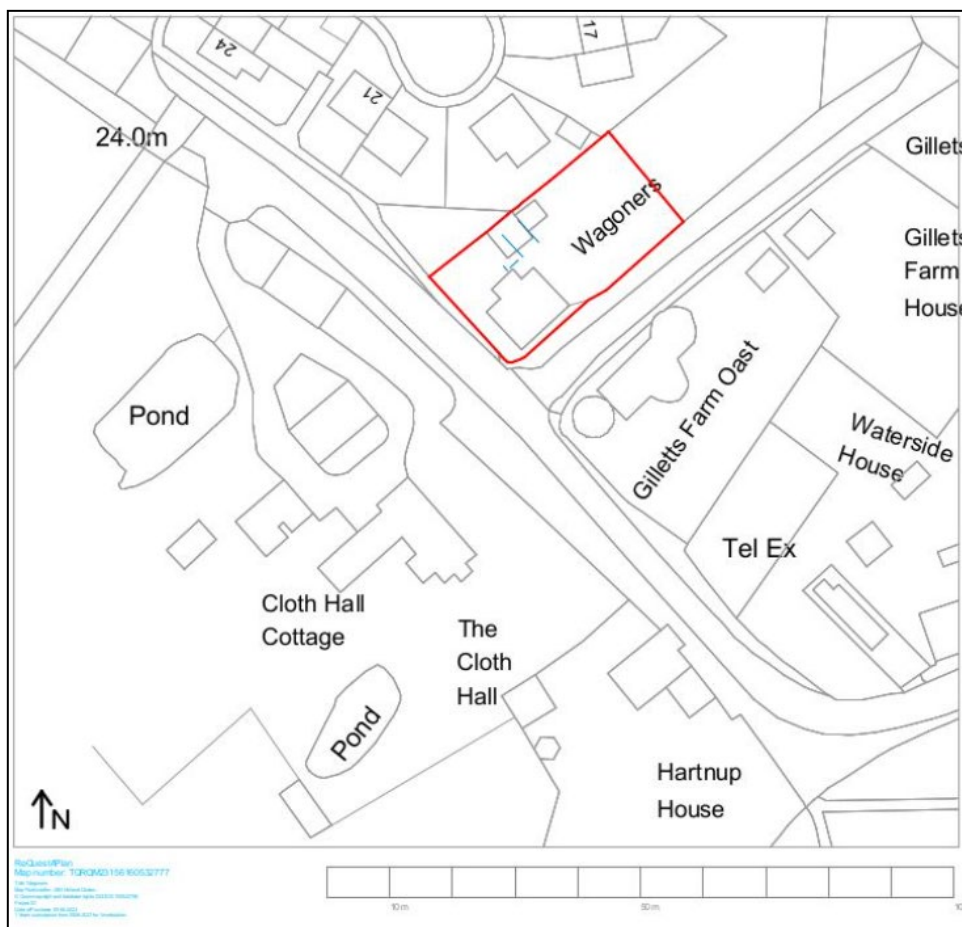


Figure 1: Location plan

Proposal

3. This application seeks planning permission for the erection of a single-storey side extension, with the eaves of 2.2 metres and an overall height of 4.8 metres, as well as replacing the existing double glazed windows and re-cladding the existing dwelling (providing improved insulation) with white painted timber cladding, and demolishing the existing garage, outbuilding, and porch.

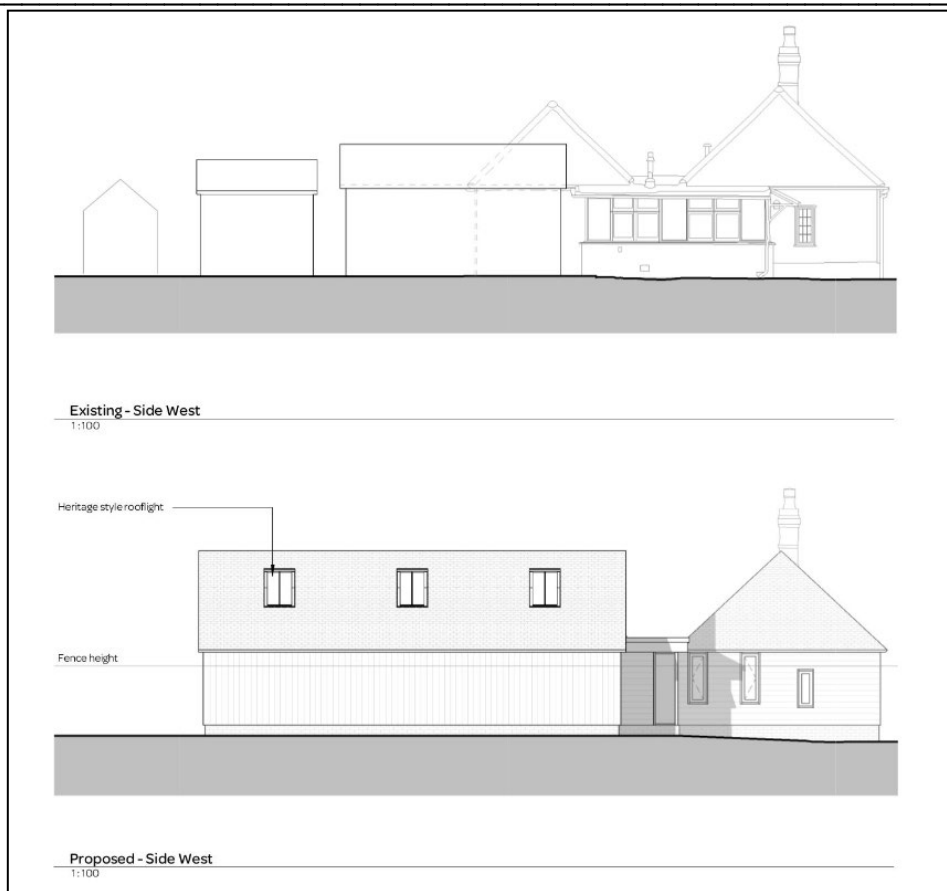


Figure 2: Existing and proposed West elevation



Figure 3: Existing and proposed East elevation



Figure 4: Existing and proposed front & rear elevations

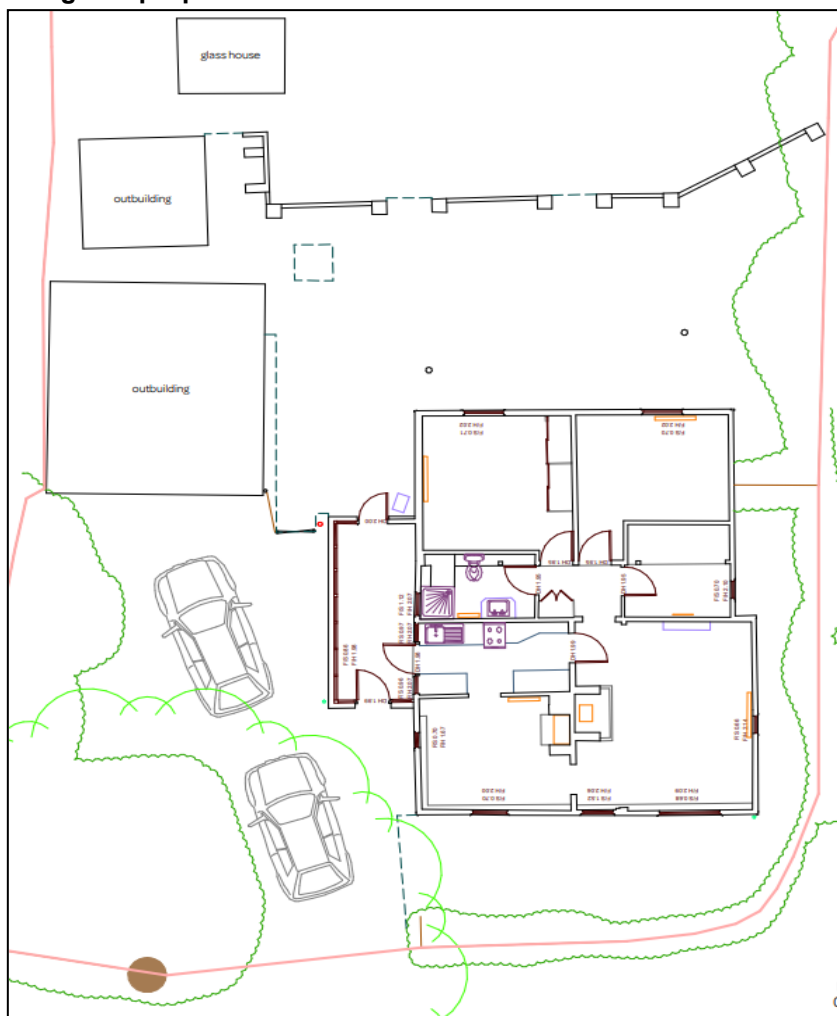


Figure 5: Existing ground floor plan

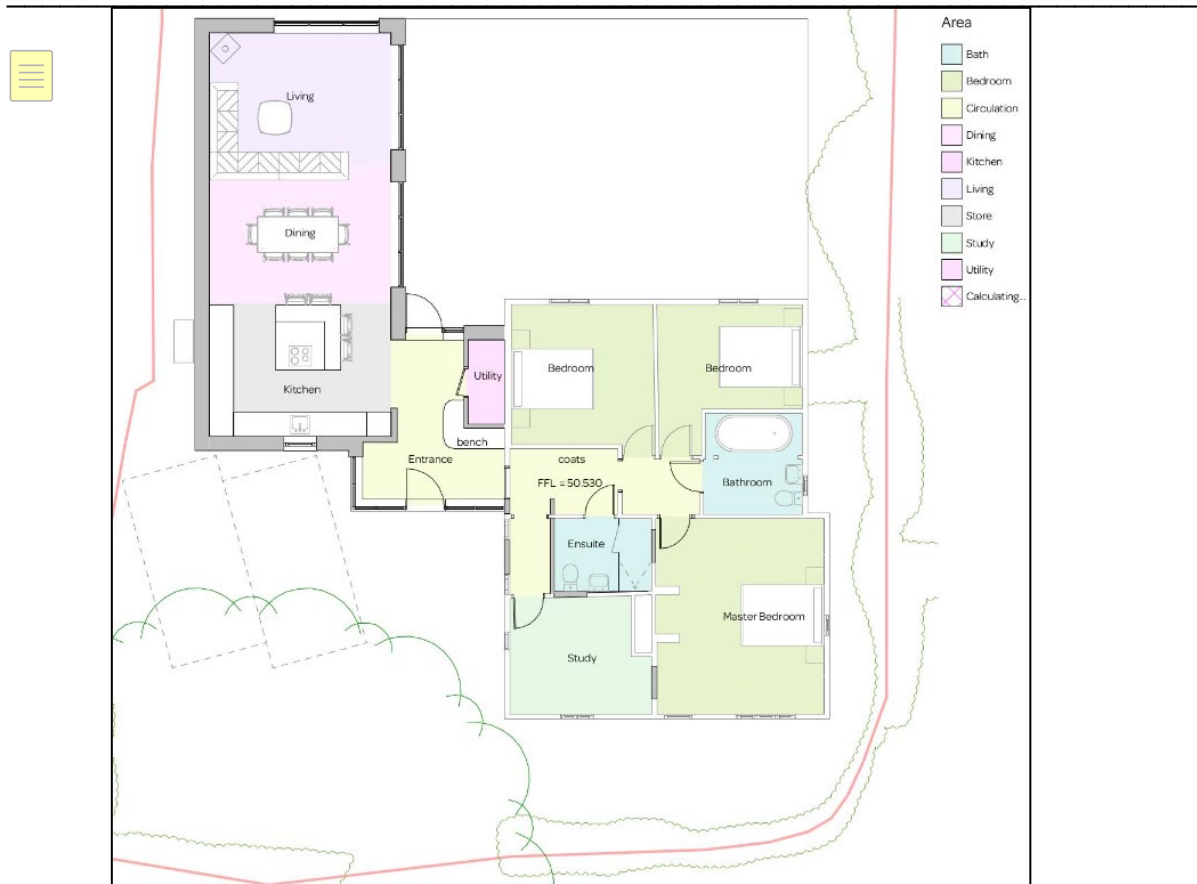


Figure 6: Proposed ground floor plan



Figure 7: Picture of the front of Wagoners

Planning History

4. PA/2023/1049 - Lawful Development Certificate - Proposed summerhouse –
Granted Approved 21/07/2023

Consultations

5. The application has been subject to formal statutory and non-statutory consultation.

Ward Member - Is a member of the Planning Committee.

Smarden Parish Council - No letter of representation received.

Neighbours - 5 neighbours were consulted in relation to this application and one letter of objection has been received from the occupants of 19 The Acorns which lies to the north of the site raising the following:

- The proposed " single storey" extension will be adjacent to our rear garden fence, with windows overlooking our property and garden.
- It would overshadow the current view with it being well above the current fence height and it will be a serious invasion of our privacy and will not be in keeping with the historic buildings that are situated within close proximity.
- We are also concerned for the safety of our children with the extension being so close to the fence. We are also very concerned with the extensive dust and fumes the build will cause, and the level of noise this will generate beyond the hours of "acceptable noise" due to its close proximity to our boundary.

[Officer Comment: This will be assessed in the main body of the report.]

The closing date for representations is not until 28th September 2023 and any further representations received will be included in the update report and reported to the Planning Committee at the meeting.

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), 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:-

SP6 – Promoting High Quality Design
ENV3a - Landscape Character and 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
Landscape Character Assessment SPD 2011
Residential Parking and Design SPD 2010
Climate Change Guidance for Development Management

Village Design Statements

Smarden 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

10. The main issues for consideration are:
 - Visual amenity / Heritage Assets

- Residential amenity
- Highway safety

Visual Amenity / Heritage Assets

11. The proposed single storey side extension, the replacement of all double-glazed windows and re-cladding to the existing building following the demolition of the existing garage, outbuilding, and porch, would as a result of their size, bulk, mass, design and appearance, appear as sympathetic and subordinate additions to the main property. The proposed side extension will add 69 metres² to the existing dwellings footprint, which is not an excessive increase and is in my opinion acceptable, particularly given the fact that the existing dwelling has limited floor space and accommodation.
12. The proposed materials for the existing dwelling would be horizontal white painted timber cladding with the extension comprising white painted vertical timber cladding, glazing and clay tiles to match the existing dwelling. This would be in keeping with the context of the surrounding area and Conservation Area. The minor nature of the development along with its siting means that there will be no impact upon the setting of nearby listed buildings. Consequently I am satisfied that the proposed works will be acceptable in visual terms and in terms of impact upon heritage assets.
13. The proposed works would be in compliance with Policy HOU8 and Policy SP6 of the Local Plan and SPG10, as well as guidance within the NPPF paragraph 130 which states that developments should be visually attractive and sympathetic to local character. The proposed works also comply with the requirements of Section 66 (listed buildings) & Section 72 (conservation areas) of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

Residential Amenity

14. Due to the single-storey nature of the extension and its siting to the side / rear, as well as the limited scale of the rest of the proposed works, the proposal would not result in any overlooking or overbearing impact. Concern was raised in relation to potential overlooking from the roof lights on the proposed Western elevation. The proposed Conservation style roof lights would be above 3 metres from the floor level, which would ensure that the said roof lights would not result in any invasion of privacy for any adjoining occupier including 19 The Acorns. In terms of the extension appearing overbearing, again the closest affected property is No.19 The Acorns. The proposed extension would be sited 1.5 metres from the common boundary and 7.2 metres from the rear of this dwelling. It would also not be

directly behind this property and its private garden area. Dividing the two properties is a panelled fence that runs along the Northern boundary of the application site. Given this the proposal would not be unacceptably overbearing. In respect of noise and dust these are minor building works and any unacceptable level of noise and dust should they arise can be controlled under environmental legislation. Overall I am satisfied that the proposal would not result in any unacceptable harm to the residential amenity of existing residents.

Highway Safety

15. The existing dwelling is a three-bed property and the proposed works will not alter this, 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

16. 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

17. 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

18. 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:

Titles	Description	Date
Ground floor plan	1100 Rev P3	9 August 2023
Location Plan	1001 Rev P2	9 August 2023
Existing and proposed East elevations	2101 Rev P2	9 August 2023
Site Plan	1005 Rev P1	9 August 2023
Section plans	3100 Rev P1	9 August 2023
Existing ground floor plans	1900 Rev P2	9 August 2023
Proposed and Existing Block Plans		23 August 2023
Existing and Proposed West elevations	2102_P2	15 September 2023
Existing and Proposed front & rear elevations	2100_P3	15 September 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. 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

5. No mezzanine floors shall be constructed within the extension hereby permitted

Reason: In the interest of residential amenity

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;

- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Background Papers

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

Contact Officer: Charlotte Giles

Email: Charlotte.Giles@ashford.gov.uk

Telephone: (01233) 330256

Application Number	PA/2023/1463
Location	Willow Trees, Pluckley Road, Smarden, TN27 8ND
Grid Reference	Easting (x) 588432 / Northing (y) 142533
Parish Council	Smarden
Ward	Weald Central
Application Description	Proposed erection of front extension following demolition of existing porch, pitched roof dormer window to replace crown dormer and rear roof dormer window.
Applicant	Mr & Mrs A & H Arlott
Agent	Mr Simon Hoyle
Site Area	0.064 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

1. The application site is located at the end of an access way which leads off the northern side of Pluckley Road, within the built confines of Smarden. The site forms part of the Beult Valley Farmlands landscape character area and abuts the Smarden Conservation Area which is to the west and north of the site. A Public Right of Way (number AW191) also runs along the entire western boundary of the application site and forms an important connection between a large public recreation area and the rest of Smarden.
2. The site comprises a detached one and a half storey / two storey high dwelling, with associated amenity space provision and parking at the front. To the south east of the site there is 'Little Jubilee' which is a one and a half / two storey dwelling. The two properties have adjoining garaging. Both the application site and 'Little Jubilee' are accessed via the access way off Pluckley Road which runs alongside and also provides access to Magnolia Cottage to the south of the application site.

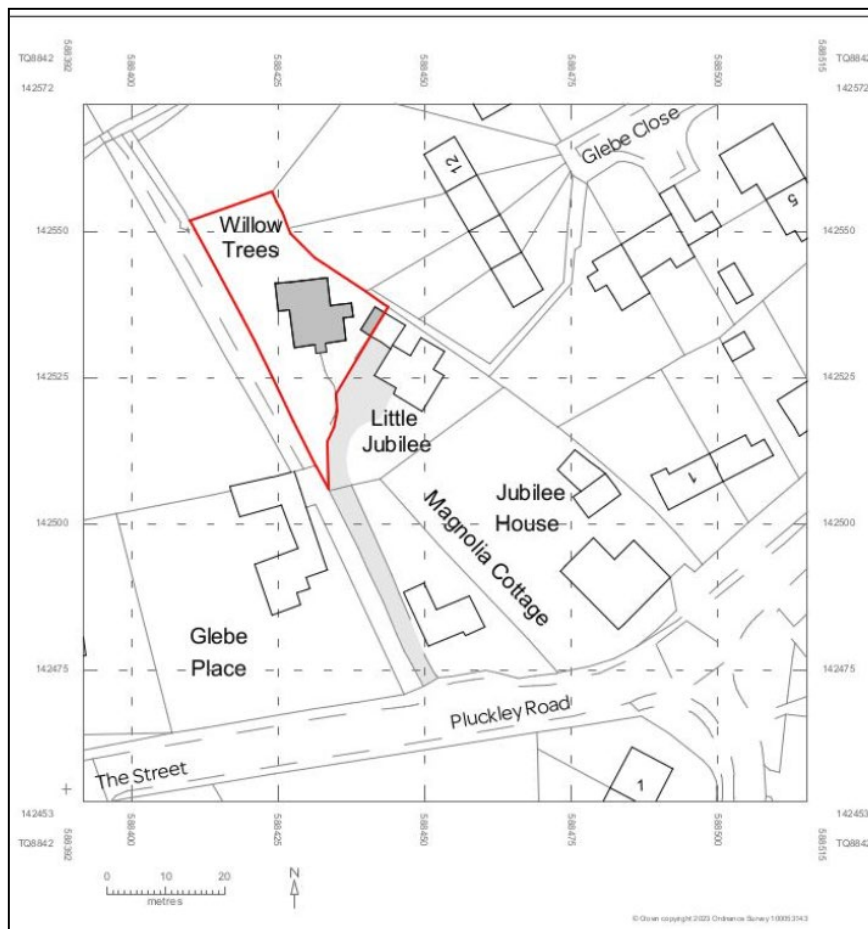


Figure 1: Site location plan

Proposal

- This application seeks planning permission for the demolition of the existing porch and the erection of a front extension with a dormer window to replace the existing crown dormer window and a dormer window in the rear roof slope. This is a revised scheme of application PA/2023/0888 that came before the committee on the 5th of July 2023 and was refused (see planning history section). That scheme proposed a 4m deep front extension with dormer window extensions within the flank roof slopes, as well as another dormer window extension in the existing front roof slope to the east of the proposed front extension. The proposal also included a 2.7m wide gable roofed side extension, with additional dormer window extensions in the front and rear roof slopes.



Figure 2: Existing and proposed South & North Elevations



Figure 3: Existing and proposed East & West Elevations



Figure 4: Existing floor plans

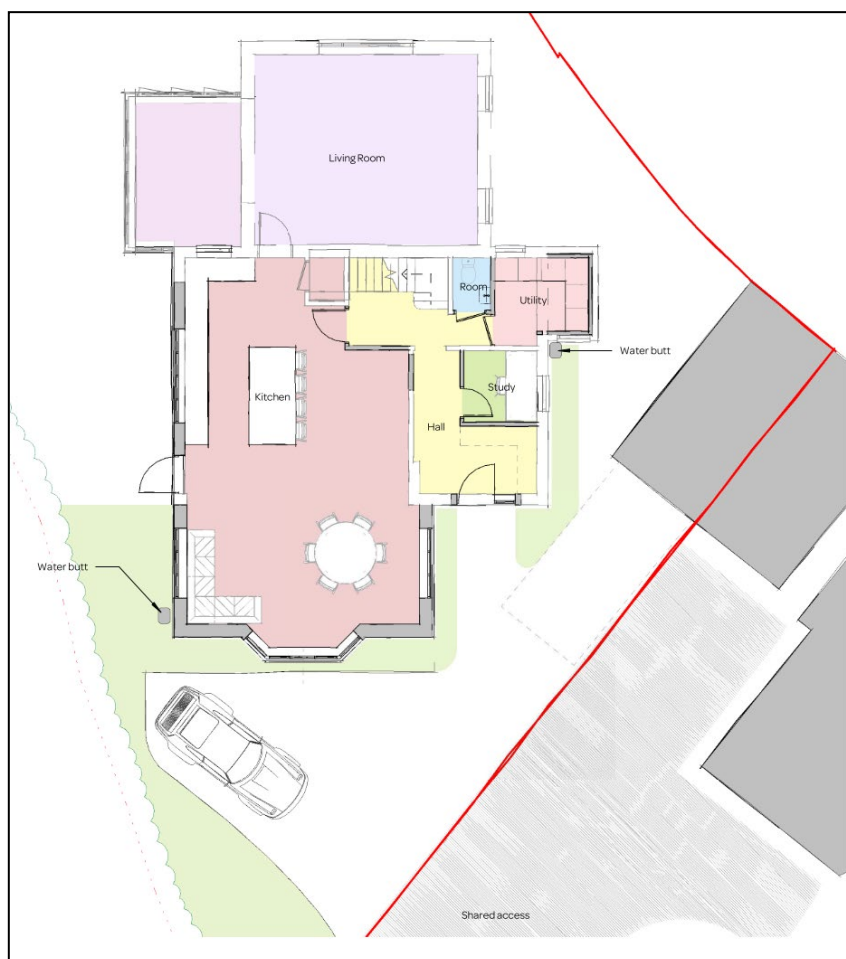


Figure 5: proposed ground floor plan



Figure 6: Proposed first floor plan

Relevant Planning History

- 12/01282/AS- Proposed two storey rear extension with dormer windows, porch and alterations to existing fenestration – Granted 02/01/2013
- 12/01282/AMND/AS - Non-material amendment to application 12/01282/AS to bring the front dormer roof to the ridge line and introduce hips to each end of existing / approved front elevation - Granted 17/04/2013
- PA/2023/0888 - Proposed demolition of existing porch and erection of front and side extension with dormers to form rooms in the roof. – Refused at Planning Committee 05/07/2023

Reasons for refusal:

- The proposed extensions to the property by virtue of their size, scale, mass, bulk, design and appearance, would appear as unsympathetic, intrusive and incongruous additions which would fail to respect the character and appearance of the existing dwelling and surrounding locality and, therefore, would cause detriment to the visual amenity. The development is contrary to policies SP6 and HOU8 of the Local Plan, SPG Note 10 'Domestic Extensions in Urban and Rural Areas' and the aims and objectives set out in the National Planning Policy Framework 2021.
- By virtue of its siting and design, the development has a harmful impact upon the residential amenity of adjacent residential occupiers at Little Jubilee, causing overlooking and an invasion of privacy. Therefore, it does prejudice the quality of the living environment enjoyed by the existing occupants at Little Jubilee. The development is contrary to policy HOU8 of the Local Plan, SPG Note 10 'Domestic Extensions in Urban and Rural Areas' and the aims and objectives set out in the National Planning Policy Framework 2021.

Refused Plans



Figure 4: Existing and proposed East & West elevations (PA/2023/0888)



Figure 5: Existing and proposed South & North elevations (PA/2023/0888)

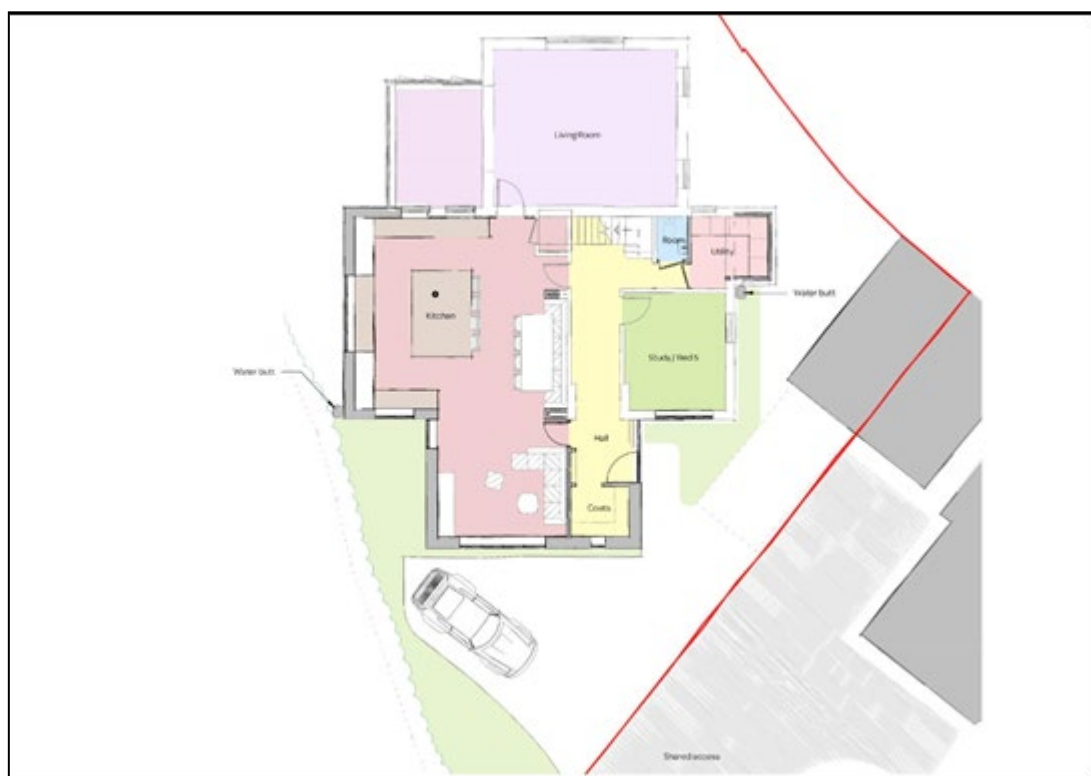


Figure 6: Proposed ground floor plan (PA/2023/0888)



Figure 7: Proposed first floor plan (PA/2023/0888)

Consultations

7. The application has been subject to formal statutory and non-statutory consultation.

Ward Member - Is a member of the Planning Committee.

Smarden Parish Council - No letter of representation received.

Kent County Council - Public Rights of Way – No objections subject to the imposition of informatives on any permission ensuring that the scheme would not impact upon the adjacent Public Right of Way.

Ramblers Kent Area - No letter of representation received.

Neighbours - 9 neighbours were consulted in relation to this application and no letters of representation have been received.

Planning Policy

8. 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).

9. 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).
10. The relevant policies from the Development Plan relating to this application are as follows:-

SP6 – Promoting High Quality Design
ENV3a - Landscape Character and Design
HOU8 - Residential Extensions
TRA3a - Parking Standards for Residential Development
11. 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
Climate Change Guidance for Development Management

Village Design Statements

Smarden Village Design Statement

Government Advice

National Planning Policy Framework (NPPF) 2023

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

12. The main issues for consideration are:

- Visual amenity
- Residential amenity
- Highway safety

Visual Amenity

13. The proposed front extension, pitched roof dormer window and rear roof dormer window would as a result of their size, bulk, mass, design and appearance, appear as sympathetic and subordinate additions to the main property. The proposed dormer windows on the Southern and Northern elevations complement the existing dwelling and do not dominate the existing roof slope, which is therefore acceptable. The proposed front extension would be approximately 3.4m deep, which is acceptable and would not create a sense of overdevelopment on the site. The proposed materials will match the existing dwelling, using brick and cladding on the dormer cheeks, as well as concrete roof tiles. The proposed works would also not cause visual harm or be overbearing on the immediately adjacent public footpath AW191 that runs along the Western side of the site.
14. The proposed works would be in compliance with Policy HOU8 and Policy SP6 of the Local Plan and SPG10, as well as guidance within the NPPF paragraph 130 which states that developments should be visually attractive and sympathetic to local character.
15. In light of the above, I am satisfied that the proposal is acceptable in visual terms.

Residential Amenity

16. Due to the detached nature of both the existing dwelling at the application site and the adjoining dwelling known as 'Little Jubilee' and the separation of the proposed works from the 'Little Jubilee', it is not considered that the proposal would detrimentally impact the amenities of the occupiers of 'Little Jubilee' in terms of loss of light or overbearing impact. The limited scale of the proposed front extension and the siting of the proposed dormer windows, mean that the proposal would not result in any overlooking. Therefore, I am satisfied that the proposal would not result in any unacceptable harm to the residential amenity of existing residents.

Highway Safety

17. The existing dwelling is a four-bed property and the proposed works will not alter this, 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

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).

Working with the applicant

19. 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

20. In light of the above the proposal fully accords with the Development Plan without causing any unacceptable harm. The proposal addresses the reasons for refusal on the previous scheme 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 and Proposed North & South Elevations	22.147 2100 Rev P4	3 August 2023
Location and Block Plan	22.147 1001 Rev P3	3 August 2023
Roof Plan	22.147 1050 Rev P2	3 August 2023
Proposed Ground Floor Plan	22.147 1100 Rev P4	3 August 2023
Proposed First Floor Plan	22.147 1101 Rev P3	3 August 2023
Existing Floor Plans	22.147 1900 Rev P2	3 August 2023
Existing and Proposed East & West Elevations	22.147 2101 Rev P4	3 August 2023
Perspective Views	22.147-2700 Rev P4	3 August 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. 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;

- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Background Papers

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

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