

Application Number	20/00191/AS	
Location	Land between Belgic Court and 70 to 80, The Limes, Stanhope, Kent	
Grid Reference	00121/40439	
Parish Council	Central Ashford	
Ward	Roman Ward	
Application Description	Erection of greenhouse, wood cabin, tool shed, bike shed; conversion of container and landscaping in association with use as a community garden	
Applicant	Mrs H Hayward for The Limes Community Garden	
Agent	CB Planning, Silverwood, Stone Street, Westenhanger, Kent CT21 4HT	
Site Area	0.25	
(a) 22/6S	(b)	(c)

Introduction

1. This application is reported to the Planning Committee because Councillor Mrs Hayward is the ward member and is supporting the application for the Community Garden project.

Site and Surroundings

2. The application site comprises an area of land Public Open Space which is directly to the rear of the residential properties known as 1-9 Belgic Court within The Limes in Ashford. Belgic Court is run by Kent County Council and provides assisted living accommodation. There is an area of trees and hedging immediately behind the fence.
3. To the rear and side of the Belgic Court properties is close board timber fencing with concrete posts.
4. Immediately in front of the site is an oval shaped, small, lawned traffic island.

Proposal

5. Planning permission is sought for the erection of a greenhouse, wood cabin, tool shed; bike shed and a converted container (to be used as toilets and site office) along with landscaping in association with the use of the land as a community garden.
6. The wood cabin will be 3m in height with timber weatherboarding and solar panels to the roof; the greenhouse, container and tool shed will also be 2.5m in height – the tool shed will also have solar panels to the roof; the bike shed will be 2m.
7. The greenhouse, cabin and tool shed are to be at the northern part of the site with the bike shed and container to the southern area.

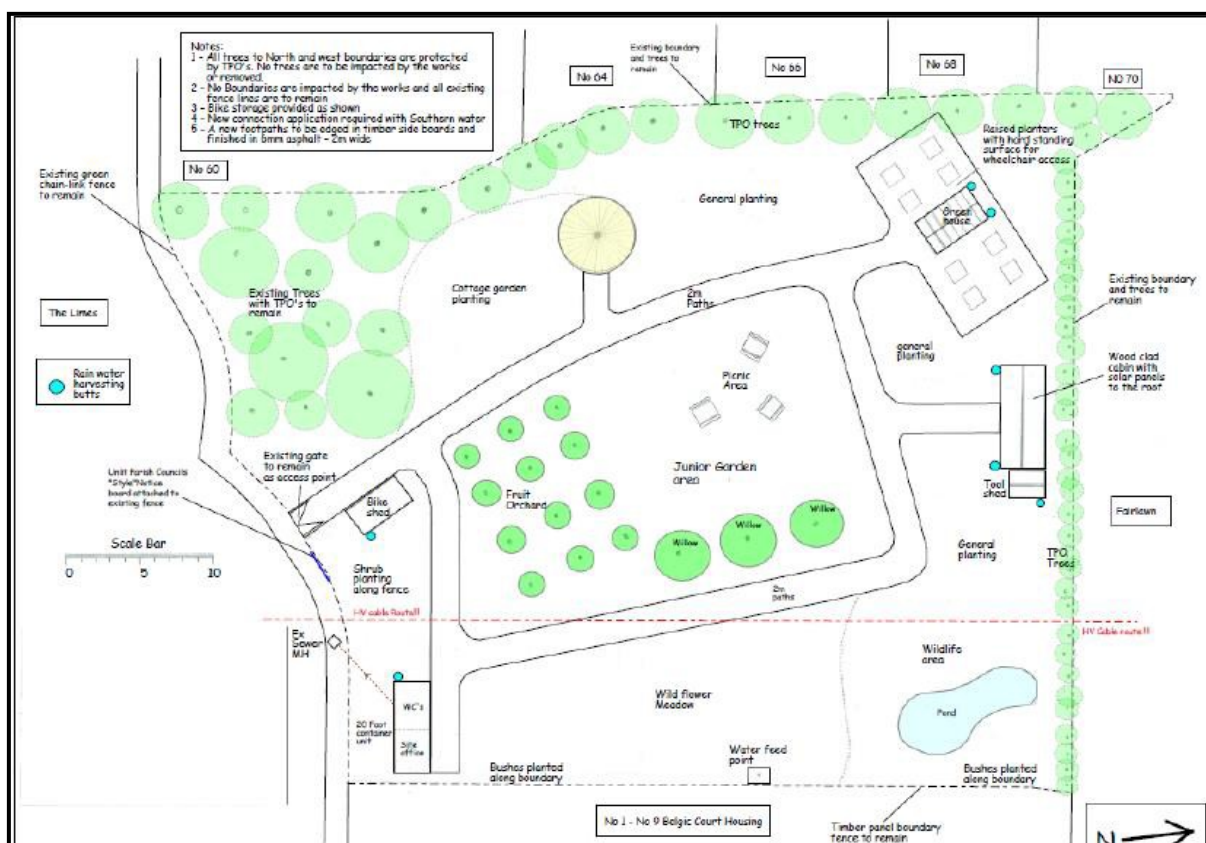


Figure 1 - layout plan

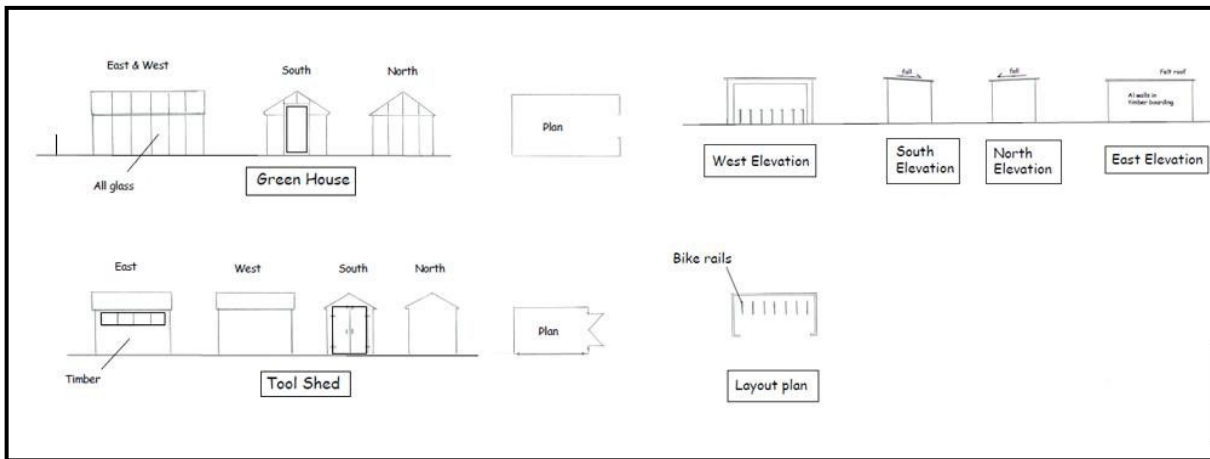


Figure 2 - greenhouse, tool shed & bike shed

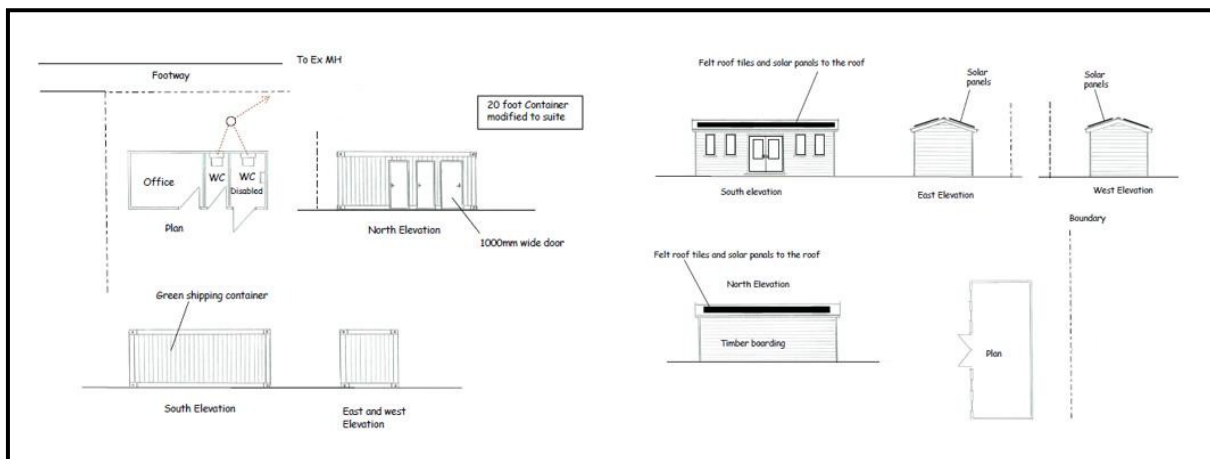


Figure 3 - container & cabin

Planning History

DC	FA	19/01568/AS	Erection of boundary fencing PERM (retrospective)	07/01/2020
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Consultations

Ward Members: no comments received

Parish Council: fully support, community garden is fantastic initiative. Beneficial addition to the community and increase availability of nutritious foods, strengthen community ties, reduce environmental hazards, reduce food miles, more sustainable system. Positive impact on the area cannot be under-estimated; was neglected parcel of land, eyesore/blot on the landscape, already looking much better and bringing community together.

Neighbours: 22 neighbours consulted; 6 letters of support

Planning Policy

8. The Development Plan 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) and the Kent Minerals and Waste Local Plan (2016).
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 Local Plan relating to this application are as follows:-

SP1 - Strategic Objectives

SP6 - Promoting High Quality Design
11. The following are also material considerations to the determination of this application.

Government Advice

National Planning Policy Framework (NPPF) 2019

Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). National Planning Policy Guidance (NPPG)

Assessment

12. The main issues for consideration are:

- Visual amenity
- Residential amenity
- Highway safety

Visual Amenity

13. The proposed buildings are all of a size and scale commensurate with their functions as ancillary structures to serve the community garden. The proposed use of materials is also acceptable. Likewise the use of solar panelling on two of the buildings supports the Government's commitment to the use of renewable forms of energy as reflected in the NPPF, which advises that even small-scale projects provide a valuable contribution to cutting greenhouse emissions.
14. The landscaping proposals retain the existing TPO trees, provide cottage garden and general planting, a fruit orchard, a junior garden area and additional willow trees and paths within the site. These improvements are all also visually acceptable adding to and enhancing the use of the site as a community garden.

Residential Amenity

15. Given the nature of the development there would be no harm to residential amenity as a result of the development.

Highway Safety

16. Given the nature of the development and its use to serve the local community there would be no harm to highway.

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).

Working with the applicant

18. 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

19. The objective of the development is to provide the ancillary structures to facilitate the use of the Public Open Space as a community garden. The development as a whole is visually acceptable. There would be no harm to residential amenity. For the reasons above, I therefore recommend that the application be approved as it would accord with Development Plan policies.

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 shall be carried out in accordance with the details of external materials specified in the application.

Reason: In the interests of visual amenity.

3. All hard and soft landscape works shall be carried out in accordance with the approved details as shown on drawing no CB-001 Rev 04 and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

4. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

5. The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

Reason: In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

Note to Applicant

Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

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

In this instance

- the application was acceptable as submitted and no further assistance was required.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 20/00191/AS)

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