

Application Number	20/01515/AS	
Location	30 Skylark Way, Ashford, Kent, TN23 3QH	
Grid Reference	01629/39097	
Parish Council	Kingsnorth	
Ward	Park Farm South	
Application Description	Erection of conservatory to rear of property	
Applicant	Mr N Prodrick, 30 Skylark Way, Ashford TN23 3QH	
Agent	N/A	
Site Area		
(a) 2/-	(b)	(c)

Introduction

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

Site and Surroundings

2. The application site comprises a two storey semi-detached property at the eastern edge of a cul de sac, part of a modern housing development in Park Farm. To the eastern boundary is the A2070 Hamstreet Bypass with a hedge/fence screen. There are no neighbours to the rear (north). It is of note that a near neighbour at No 36 Skylark Way benefits from a conservatory to their rear elevation. No 32 benefits from a detached outbuilding within the rear garden.



Figure 1 - site location plan

Proposal

3. Full planning permission is sought for the erection of a conservatory to the rear elevation. The conservatory will measure 2.5m high, 2.5m deep and 4.5m wide, set in slightly from the boundary fence with the adjoining neighbour.
4. The design is to be of a standard style; dwarf brick wall, fully glazed and lean-to roof.
5. Planning permission is required as permitted development rights were removed at the time of the original planning permission for the development as a whole.



Figure 2 - proposed rear elevation

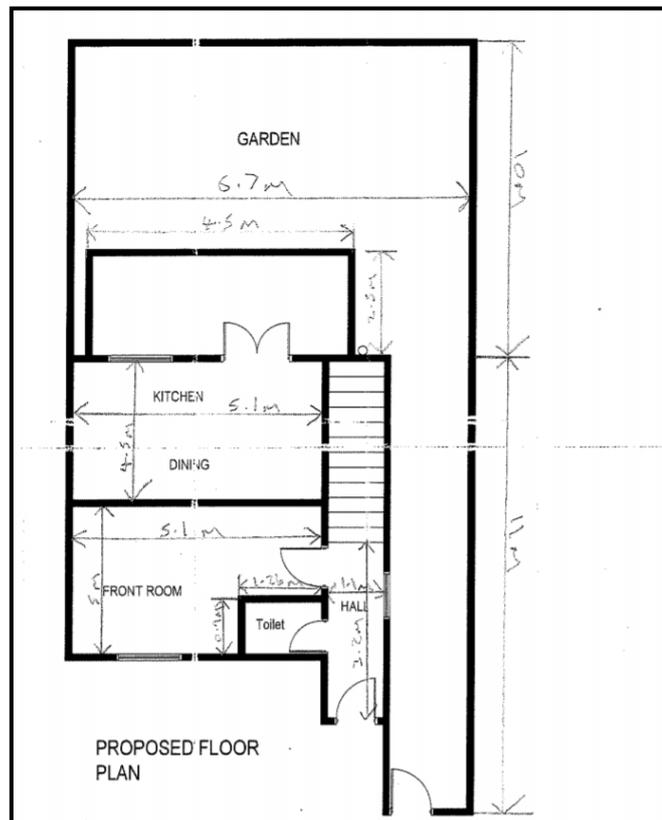


Figure 3 - proposed floor plan

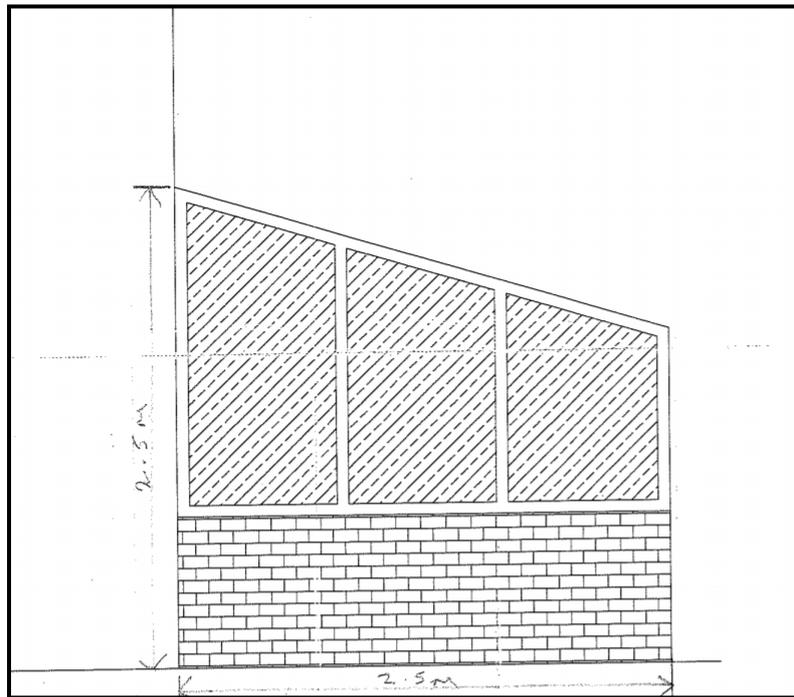


Figure 4 - proposed side elevation

Planning History

DC	RM	99/01139/AS	Erection of 84 two storey two/three bedroom dwelling houses with garages/parking etc (Scheme 3)	AD	16/11/1999
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Condition 1 of the above removes permitted development rights for Class A, B, C and D of Schedule 2, Part 1 of the GPDO 1995 or any other Order revoking or re-enacting that Order.

DC	CLUP	20/01082/AS	Certificate of Lawful Development - Proposed - Erection of conservatory to rear	PNL	30/10/2020
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The application above was refused due to the removal of permitted development rights as per the above reference to the 1999 application.

Consultations

Ward Members: The Ward Member requests that the application be determined by the planning committee.

Kingsnorth Parish Council: “no comment”

Neighbours: Two neighbours consulted; no representations received

Planning Policy

6. The Development Plan for Ashford Borough comprises the Ashford Local Plan 2030 (adopted February 2019).
7. The relevant policies from the Local 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
8. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

SPG10 Domestic Extensions in Urban and Rural Areas adopted June 2004

Government Advice

National Planning Policy Framework (NPPF) 2019

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 National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

National Planning Policy Guidance (NPPG)

Assessment

Visual Amenity

10. Situated on the rear elevation, the development would not be visible from within the public realm. The conservatory extension creates an acceptable, subordinate addition to the existing dwelling. The proposed use of materials is also acceptable and of a standard design for a conservatory of this nature. As a result, the development would not represent a visually intrusive form of development within the street scene.

Residential Amenity

11. Given the single storey nature of the development and the fact the extension would only be 70cm higher than a standard style of boundary fencing, there would be no harm to residential amenity due to harmful overlooking or overbearing development.

Highway Safety

12. The development does not require the benefit of further parking provision.

Human Rights Issues

13. 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

14. 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

15. In light of the above, the submitted proposal is considered to be acceptable and in accordance with the provisions of the Development Plan. With no significant or unacceptable harm identified and no matters raising an overriding objection to the grant of permission, the proposal is considered acceptable and it is therefore recommended that the application be approved subject to conditions.

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 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.

3. 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.

4. 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.

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 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 20/01515/AS)

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