

<b>Application Number</b>	21/01060/AS
<b>Location</b>	240 Beaver Road, Ashford Kent TN23 7SW
<b>Ward</b>	Norman
<b>Application Description</b>	Change of use of portion of rear garden of number 240 Beaver Road to public car park. Formation of revised access from Beaver Road.
<b>Applicant</b>	Ashford Borough Council
<b>Agent</b>	Corporate Property and Projects
<b>Site Area</b>	0.08 ha

Initial consultation

(a) 2/1R                      (b) +                      (c) KH&T X

Amended Plans consultation

(a) 2/+                      (b) +                      (c) KH&T X

## Introduction

1. This application is reported to the Planning Committee because the applicant is Ashford Borough Council.

## Site and Surroundings

2. The application site comprises two small parcels of land adjacent to an existing car park to the north side of Beaver Road which is managed by Ashford Borough Council. The first parcel includes the northern section of residential garden land associated with 240 Beaver Road, a semi-detached dwelling to the east of the car park. The second parcel of land is situated to the southwest side of the car park adjacent the highway.
3. The car park is currently enclosed by way of timber close boarded fencing to the east and west boundaries separating it from the adjacent neighbouring residential dwellings to the east and west. To the north of the car park is an allotment garden.
4. The site lies to the south of Ashford Town Centre and the surrounding area is made up of a mixture of residential dwellings and commercial premises.

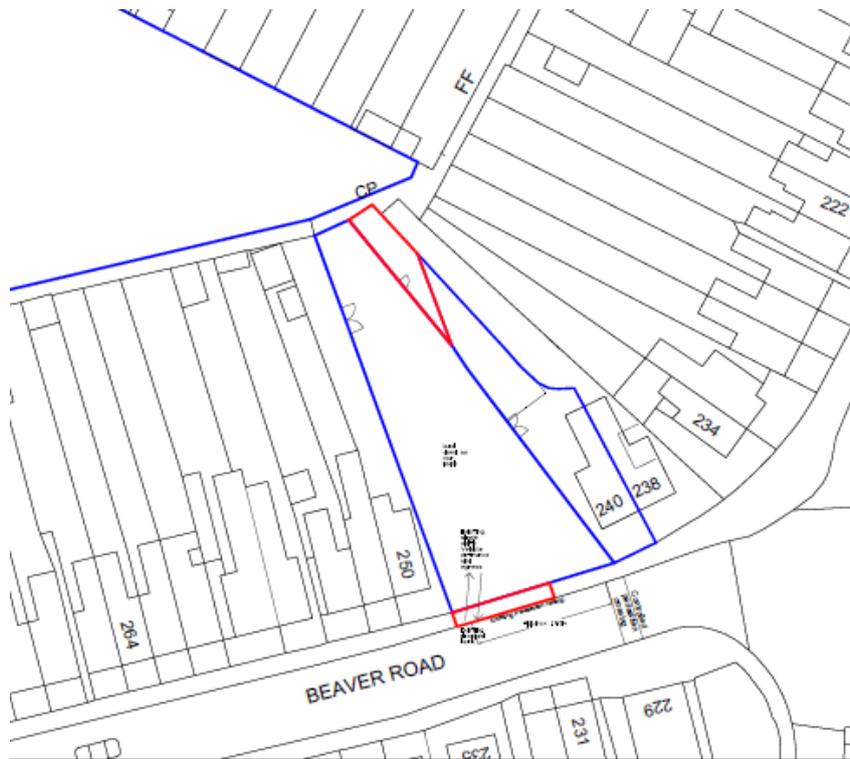


Figure 1 - Site location plan



Figure 2 - Aerial image of site



Figure 3 – Application site – view NE from Beaver Road

## Proposal

5. The application seeks planning permission for the change of use of the northern portion of the garden associated with 240 Beaver Road to allow its incorporation into the existing public car park to the west of that dwelling. This land will be re-surfaced and new boundary enclosures erected to separate from the remaining garden land.
6. In addition, the proposal would alter the access from Beaver Road into the car park, moving it slightly to the east. The existing dropped kerb arrangement would be modified to accommodate this change.



**Neighbours:** 2 neighbours consulted and one objection received in relation to loss of privacy due to the height of the proposed fence and noise nuisance.

## Planning Policy

8. 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) and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).

The relevant policies from the Local Plan relating to this application are as follows:-

SP1	Strategic objectives
SP2	The strategic approach to housing development
SP6	Promoting high quality design
TRA3b	Parking standards for non residential development
TRA7	The road network and development

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

### Supplementary Planning Guidance/Documents

#### Government Advice

##### National Planning Policy Framework (NPPF) 2021

10. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the 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

11. The key areas for consideration of the proposal are:

- (a) The principle and visual amenity
- (b) Neighbouring residential amenity
- (c) Highway safety

### **Principle and Visual Amenity**

- 12. The site is within the urban area of Ashford where there is no objection in principle to this form of development.
- 13. The proposed minor alteration to the position of the access would be visible from Beaver Road and the surrounding area but would not materially alter the character or appearance of the site.
- 14. Turning to the change of use of the residential garden land, the enlargement of the car park area would be visible from the road but it would not be visually prominent or detrimental to the street scene given the scale, position and nature of the proposal.

### **Residential Amenity**

- 15. The proposal to slightly enlarge the car park (at the rear of the site) and increase the intensity of its use would not cause unacceptable noise and disturbance to neighbouring dwellings. The proposal would alter and add to existing boundary enclosures and a condition would be imposed to require the submission and approval of details related to this.
- 16. Although the proposal would very reduce the garden available to 240 Beaver Road, it would leave sufficient external amenity space for the occupiers of that property in accordance with Policy HOU15.

### **Highway Safety**

- 17. The proposal would move the existing access to the car park slightly to the east. The revised access would not materially alter the visibility splays for vehicles entering or exiting the car park, and KCC Highways has raised no objection in this regard. There would be sufficient space within the site to ensure that cars could enter and exit in forward gear.
- 18. Although the proposal would improve the availability of spaces and facilities within the car park, it would not materially impact upon the local road network.
- 19. If permitted, the electric vehicle charging points and spaces as illustrated on the plans should be secured by condition to ensure that the proposal complies with policy requirements.

## Human Rights Issues

20. 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

21. 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

22. As set out in the report above the proposal would not cause unacceptable harm in terms of visual amenity, residential amenity or highway safety. The proposal accords with the Development Plan and as such I recommend planning permission is granted.

## 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. Standard time condition
2. Approved plans
3. Available for inspection
4. Hard landscaping including boundary fencing to be agreed
5. Bound surface at access point
6. Provision and retention of parking spaces
7. Provision of EV charging points
8. Reinstatement of kerb prior to use of the site

### **Note to Applicant**

1. Highways licenses and consents required
2. Land adjacent highway, ownership and rights
3. Details must agree with legislation and common law

### **Working with the Applicant**

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

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

In this instance,

- the applicant/agent was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

### **Background Papers**

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://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 21/01060/AS)

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