

Application Number	21/01592/AS	
Location	Bennetts, 56 The Street, Appledore, Ashford, Kent, TN26 2AE	
Grid Reference	95593 / 29517	
Parish Council	Appledore	
Ward	Isle of Oxney Ward	
Application Description	Erection of 2-bay garage with log store; erection of greenhouse; erection of a gazebo.	
Applicant	Mrs E Mitchell. Bennetts, 56 The Street, Appledore, Kent, TN26 2AE	
Agent	N/A	
Site Area	0.35 Ha	
(a) 5/2S	(b) +	(c) KCC Archaeology Section - +

Introduction

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

Site and Surroundings

2. The application site comprises a detached Grade II listed property located within the parish of Appledore on the road known as 'The Street'. The site lies within the designated Appledore Conservation Area (CA) and within countryside that is defined as part of the Low Weald Landscape Character Area (LCA).

Proposal

3. The application seeks permission for the following:
 - A 2 bay garage made of red brick and oak featheredge cladding with a handmade clay plain tile roof which will be set back in relation to the main property. 4m in height.
 - A pitched roof greenhouse comprising a red brick plinth and clear finished red cedar frame with slate grey powder coated aluminium capping to roof

timbers, which will be situated to the north western part of the garden. 4m in height;

- A square shaped gazebo made of oak with an untreated cedar shingle roof, which will be situated to the north west end of the garden adjacent to a pond. 3.5m in height.

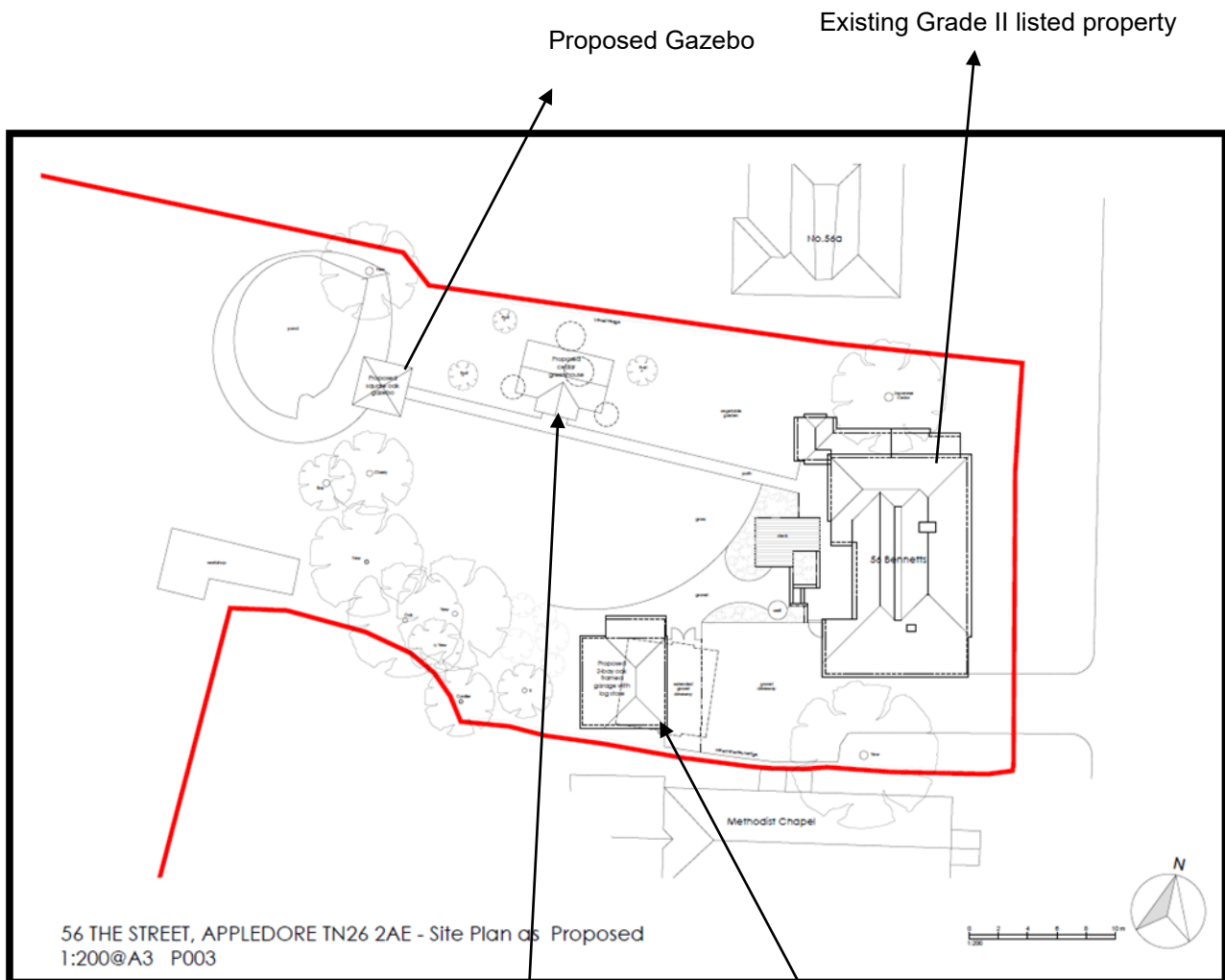


Figure 1- Proposed Block Plan

Proposed Greenhouse

Proposed Garage

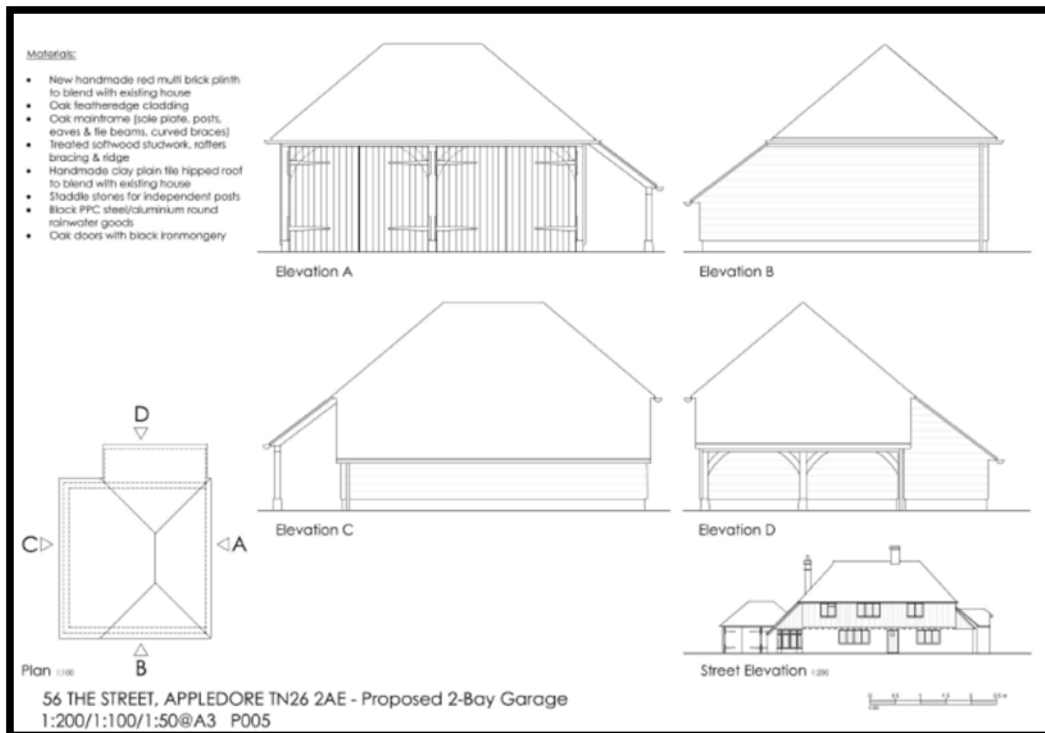


Figure 2- Garage Elevations

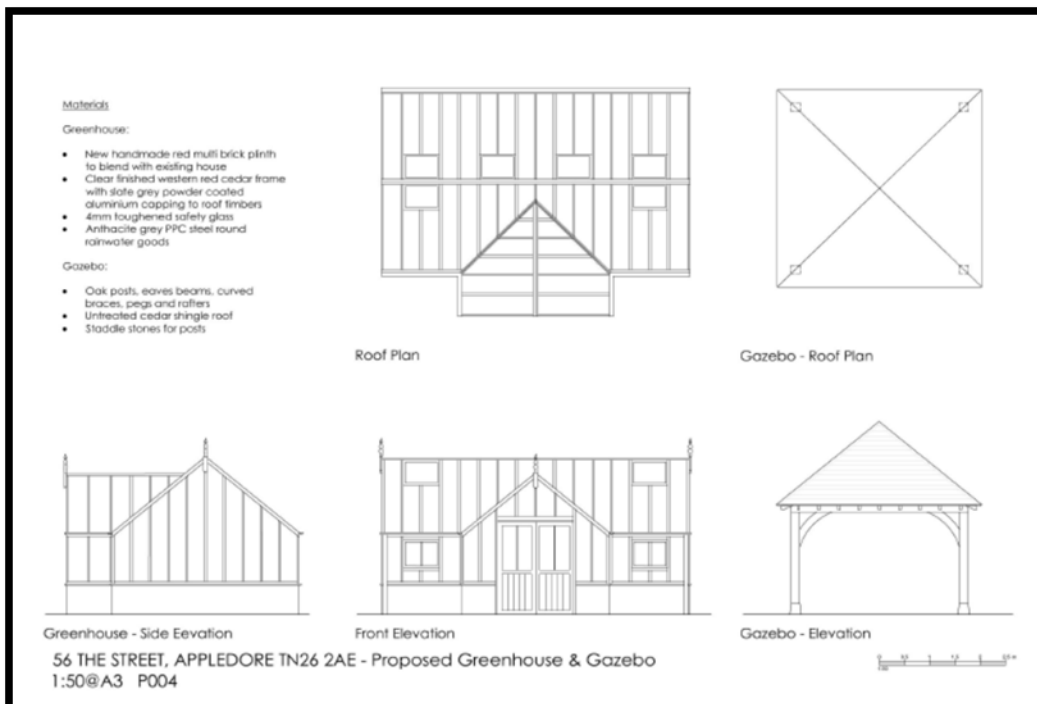


Figure 3- Greenhouse and Gazebo Elevations

Planning History

No relevant history

Consultations

Ward Member(s): Cllr. Mick Burgess; No representation received.

Neighbours; 5 neighbours notified; 2 support comments received.

Appledore Parish Council No comments received.

Planning Policy

4. 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).

Emerging Neighbourhood Plans

5. Not part of the Development Plan but noteworthy are (i) the Boughton Aluph & Eastwell Neighbourhood Plan that is proposed to be adopted by the Borough Council in the near future, (ii) the Egerton Neighbourhood Plan that is currently at 'Regulation 16' (Examination) stage and (iii) the Tenterden Neighbourhood Plan that, although it has been out to consultation is at an earlier 'Regulation 14' stage in the process.
6. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Local Plan 2030 (adopted February 2019)

7. SP1 – Strategic Objectives
SP6 – Promoting High Quality Design
ENV3a- Landscape Character and Design
ENV13– Conservation and Enhancement of Heritage Assets
ENV14- Conservation Areas

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

Supplementary Planning Guidance/Documents

Supplementary Planning Guidance Note 9 (Domestic Garages and Outbuildings in Urban and Rural Areas)

Government Advice

National Planning Policy Framework (NPPF) 2021

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. The following sections of the NPPF are relevant to this application:-

Paragraph 130, *Planning policies and decisions should ensure that developments:*

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

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

10. **Paragraph 190**, *Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:*

c) the desirability of new development making a positive contribution to local character and distinctiveness

11. **Paragraph 206**, *Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

Assessment

12. The key issues for consideration are:

- Visual amenity and impact on the setting of the listed building and character and appearance of the CA.
- Residential amenity

Visual amenity

13. The design and scale of the garage with a full hipped roof and traditional materials fits in well with the sensitive context of the site. The positioning of the structure, set back into the garden minimises its visual impact. The development is proportionate to the size of the existing property.
14. The greenhouse and gazebo are both situated to the rear of the garden and would therefore not be readily visible from public vantage points. Irrespective of this, the design, form and materials are traditional and would be sensitive to the context of the site.
15. I can therefore conclude that the development would preserve the character of the CA and would not harm the setting of the listed building.

Residential amenity

16. Given the nature of the development and separation distance to neighbouring properties then there would be no harm to residential amenity.

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. There would be no harm to visual amenity, the setting of the listed building and the development would preserve the character of the CA. In turn, there would be no harm to residential amenity. In light of the above, I conclude that the proposal complies with the requirements of the Development Plan Policy, Central Government guidance and the Councils SPG. Therefore, I recommend the scheme for approval.

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 which shall not be varied.

Reason: In the interests of visual amenity.

3. 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.

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 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 //AS)

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