

Application Number	17/01807/AS	
Location	Car Park opposite health and fitness club, Pluckley Road, Charing, Kent	
Grid Reference	694635/48473	
Parish Council	Charing	
Ward	Charing	
Application Description	Erection of a single storey building to accommodate an office and beauty salon with associated parking, services, infrastructure, ground works and landscaping	
Applicant	Mr Quinn	
Agent	Quinn Estates	
Site Area	0.107 ha	
(a) 11/10R 1S AMND 1R19S	(b) Charing R AMND R	(c) BTOH X; KCCE X, RAM X, PROW - AMND BTOH X

Introduction

1. This application is reported to the Planning Committee at the request of the Ward Member, Cllr. Clarkson

Site and Surroundings

2. The application site is located to on the eastern side of Pluckley Road to the south of Charing village and comprises an overspill car park which was once used in connection with the former Green Health Club at the Old Pumping Station opposite and this use has now ceased.
3. Falling just outside of the built-up confines, the site is in the countryside and the Charing Farmlands Landscape Character area. Surrounded by undulating pasture land dissected by hedgerow field boundaries and vegetation the site is open and spacious. The open nature of the site, together with the surrounding pasture land and provides a soft edge to this part of the

settlement. It forms a transitional area between the open countryside to the south and the village to the north.



Figure 1: Site Location

Proposal

4. Planning permission is sought for the erection of a single storey building to accommodate an office and beauty salon with associated parking, services, infrastructure, ground works and landscaping.
5. The proposed building would measure 24.5m wide and 6m deep and have a ridge height of 6m clad in black timber weatherboarding with a slate roof the proposed building would be sited to the south of the site facing a proposed parking court of 13 spaces.
6. Permission was initially sought for a farm shop and beauty salon but following objections from the Parish Council and neighbours the application was amended removing reference to the farm shop and proposing an office in its place.

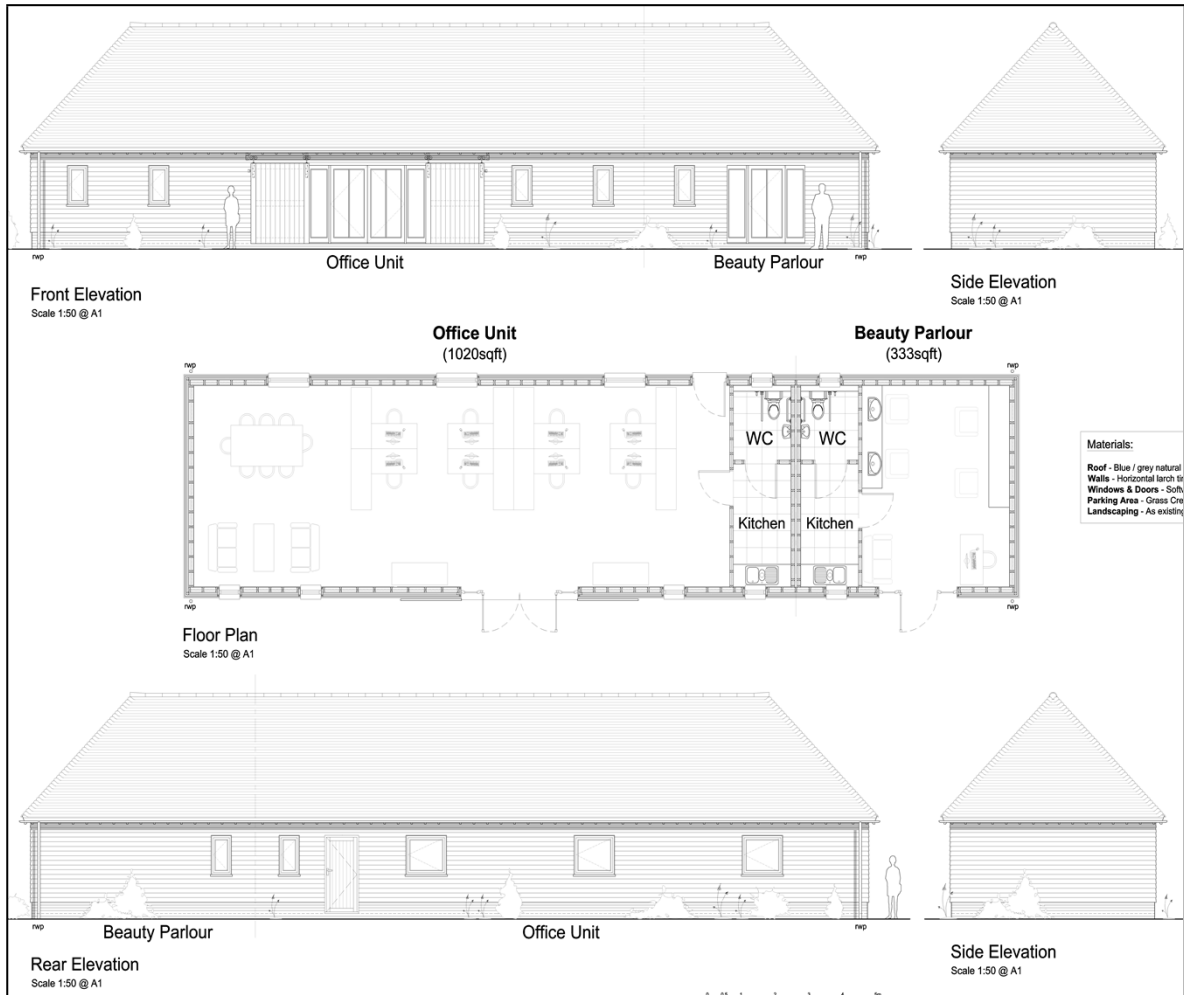


Figure 2: Proposed Floorplans and Elevations

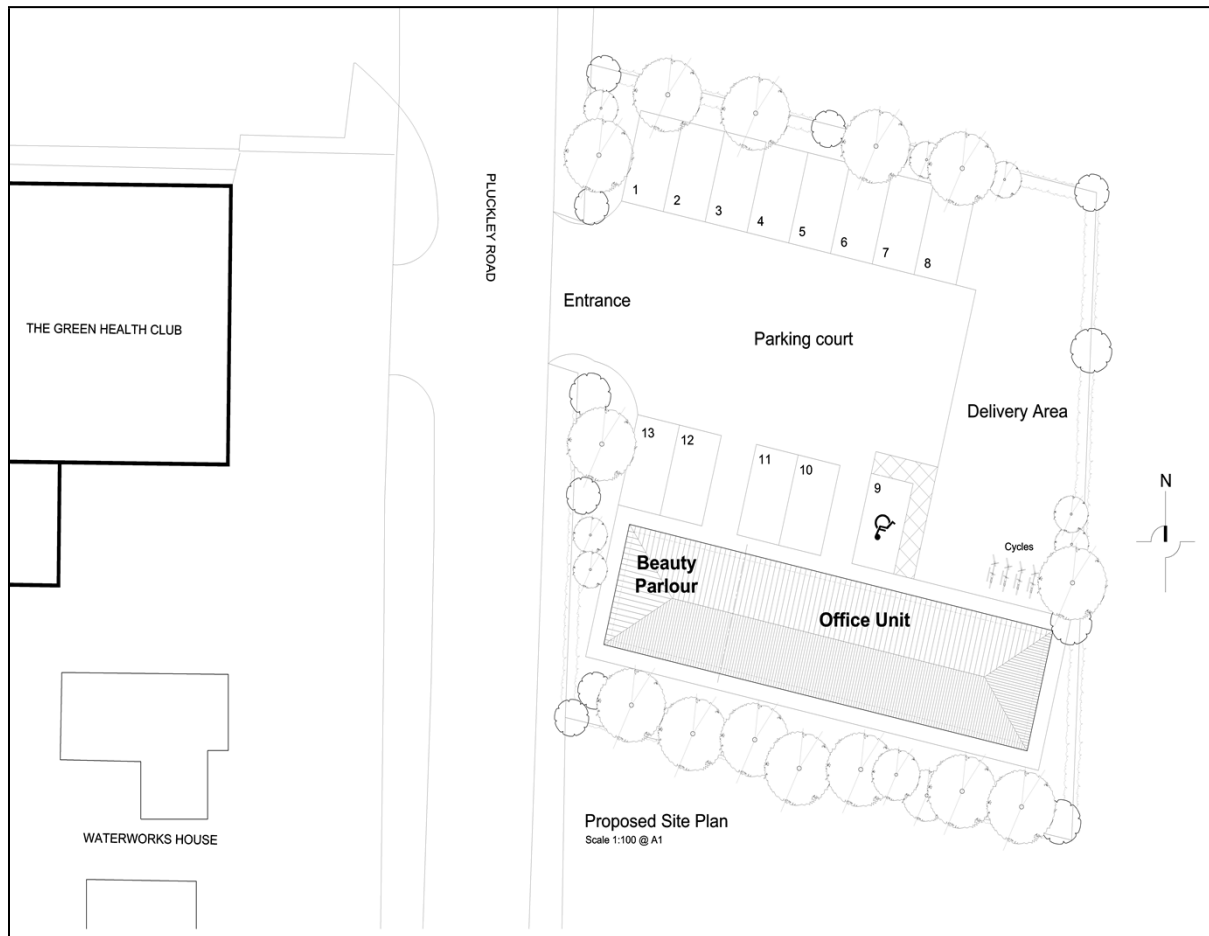


Figure 3: Proposed Site Layout

Planning History

DC	FA	17/00530/AS	Demolition of existing swimming pool extension, conversion of the existing building, erection of a second floor extension and stair well to form 8 self-contained apartments. Erection of 2 storey building to accommodate 1 x 3 bedroom dwelling. In addition, associated parking, associated services, infrastructure, landscaping, ground works and earthworks.	PERMITTED
DC	FA	03/01308/AS	Re-application for overspill car park (on land opposite)	PERMITTED
DC	FA	00/00571/AS	Proposed overflow car park on adjoining land	PERMITTED

Planning application 03//1308/AS granted permission for the land to be used as an

overspill car park to the Green Health Club subject to the following conditions

1. The car park shall not be used other than for purposes ancillary to the Green Health Club.

Reason: Permission is only granted as an exception to rural strength policies due to the parking problems created by this use.

2. If the car park is no longer required for the use permitted the site shall be restored to its former condition.

Reason: In the interests of visual amenity of the special Landscape Area.

These conditions mean that the use of the land as a car park was only temporary, ancillary to the Health club for as long as the Health Club was in use.

Consultations

Ward Members: The Ward Member is a member of the Planning Committee

Charing Parish Council: Object

The Parish Council recommends refusal of the application to build a beauty parlour and a farm shop for the following reasons:

1. When planning permission for the overspill car park was granted in 2003 (03/01308/ AS) it contained a condition that: "If the car park is no longer required for the use permitted the site shall be restored to its former condition". We feel this condition should be adhered to so that the site is restored to greenfield as part of the surrounding meadow. We see a risk that development there would lead to pressure to build in the gap between it and the last houses on that side of the road.
2. While the Beauty Parlour was an existing business so would not generate additional traffic, the farm shop will generate additional traffic on a road which is already considered too busy and dangerous. Further there is no pavement for the last stretch of the road so few, if any, people will walk there.

On receipt of amended plans:

The Parish Council recommends refusal of the application to build a beauty parlour and office as the first reason above also applies. However, if the borough council were to decide that the condition need no longer apply and that it is appropriate to build on that site, the office and beauty parlour combination would be the preferred

use as it would generate less traffic. We have evidence that Charing needs more office accommodation and the Beauty Parlour is an existing business.

KCC Highways: No Objection subject to conditions

On receipt of amended plans:

No Objection subject to conditions

KCC Biodiversity: No Objection subject to conditions

Ramblers Association: No Objection

Neighbours: 11 neighbours consulted. 10 letters of objection received stating the following objections:

- Development would impact upon vitality and viability of the village and local business.
- Development would cause significant visual harm.
- Example of village creep into the countryside.
- No safe passage to the site for pedestrians.
- Uninspiring design and architecture.
- Car park should be removed and the field restored now the health club has ceased operating.
- Additional traffic generated would be detrimental to highway safety.
- Sets a precedent for future development in this field.

1 letter of support received stating the following

- Development would make a welcome addition to the village.

On receipt of amended plans:

1 letter of objection received stating the following stating the following objection:

- Inappropriate development for this location.

19 letters of support received stating the following:

- Development would benefit wider community.
- Proposal would create jobs and support local economy.
- Good opportunity to attract new business to Charing.
- Development would deliver a high quality finish.
- Office space is needed.
- Opportunity to expand existing business.
- Small scale development which would not be incongruous within the landscape.

Planning Policy

7. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012, the Chilmington Green AAP 2013, the Wye Neighbourhood Plan 2015-30 and the Pluckley Neighbourhood Plan 2016-30. The new Ashford Local Plan to 2030 has now been submitted for examination and as such its policies should now be afforded some weight.
8. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

- | | |
|------|---|
| GP12 | Protecting the countryside and managing change |
| EN9 | Setting and entrances of towns and villages |
| EN10 | Development on the edge of existing settlements |

Local Development Framework Core Strategy 2008

- | | |
|-----|--|
| CS1 | Guiding Principles |
| CS2 | The Borough Wide Strategy |
| CS7 | The Economy and Employment Development |

CS9 Design Quality

CS20 Sustainable Drainage

Tenterden & Rural Sites DPD 2010

TRS10 New Employment Premises in the Countryside

TRS17 Landscape character & design

Ashford Local Plan to 2030

SP1 Strategic Objectives

SP3 Strategic approach to Economic Development

SP6 Promoting High Quality Design

EMP5 New Employment uses in the Countryside

TRA3b Parking Standards for Non Residential Development

ENV1 Biodiversity

ENV3a Landscape Character and Design

ENV9 Sustainable Drainage

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

Supplementary Planning Guidance/Documents

Dark Skies SPD

Government Advice

National Planning Policy Framework (NPPF) 2012

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:-

11. Paragraph 216 states in relation to the stages of preparing a Local Plan that:
- “From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”

National Planning Policy Guidance (NPPG)

Assessment

12. The main issues for consideration are:
- a) Principle of Development and Impact upon Visual Amenity
 - b) Impact upon Residential Amenity
 - c) Highway Safety and Impact upon the local highway network.
 - d) Ecology

Principle of Development and Impact upon Visual Amenity

13. When considering applications for town centre uses which are not within an existing centre, the NPPF requires LPA's to adopt a sequential approach. However, the proposal is for a small scale office development and a beauty salon in the rural area. In accordance with Para. 25 of the NPPF the sequential test need not be applied in this case
14. Development plan policy TRS10 seeks to control new employment premises in the countryside. The preamble text to the policy states that new employment premises in the countryside will not be permitted unless exceptional circumstances can be demonstrated to set aside the normal presumption against such developments such as a functional need for a countryside location. This is supported by emerging local development plan

policy EMP5. The emerging Local Plan currently carries some weight in decision making, therefore, is a material consideration.

15. Central to the development plan and the NPPF is a presumption in favour of sustainable development. Delivering sustainable development relies upon a careful balance between economic, social and environmental factors. These factors are mutually dependent. Therefore, to achieve development which is sustainable there has to be economic, social and environmental gain.
16. The application site is the former overspill car park for The Green Health Club which has permission to be converted into flats (17/00530/AS). Justification for the proposal is that the site is brownfield land, and that the proposal would assist in the expansion of existing local business, providing new jobs which would contribute to the local economy. However no end user has been identified for the proposed office.
17. No functional need for the proposed development has been demonstrated. It is noted that one of the units would accommodate a beauty business which has been displaced as a result of the redevelopment of the health club. However, the displacement of this business does not justify the erection of a news building where one would not normally be permitted. It has not been demonstrated that the needs of business could not be met within Charing or the surrounding villages, in a more sustainable location and it is not essential that the business is located in the countryside. The environmental harm which would result outweighs any economic and social gain which would otherwise be achieved.
18. Policies TRS10 and EMP5 seek development which can be integrated sensitively into its context respecting the character of the landscape. This is consistent with the NPPF which, requires development to recognise the character and beauty of the countryside and the rural communities within it
19. Located to the east side of Pluckley Road the application site is an open and highly visible area of land which is not dominated by large, bulky buildings which impede on the long distance views of the village of the surrounding landscape. Notwithstanding the existing hardstanding it is rural in both character and appearance and signifies the transition from village settlement to open countryside. Its rural appearance is characteristic of peripheral development on the edge of large villages such as Charing.
20. Entrances to the villages create an important visual impression. Local development policies EN9 and EN10 seek to ensure that important landscape features or views which, contribute to the setting of the village are preserved. These policies are supported by policy TR17 and emerging policy ENV3a

which place great emphasise on new development which respects the character of landscape in which it is located.

21. The proposed development by virtue of its siting, bulk and mass would appear both visually prominent and intrusive. Situated to the south of the site with the largest elevations facing north and south the proposed building would dominate views of the countryside from the north and erode the medium distance views of the village on approach from the south. The open character of the site and its surroundings would be eroded.
22. Whilst the proposal has been designed to reflect that of a converted rural building the scale of the development proposed with its associated parking court would have a significantly urbanising impact, creating the impression of sprawling urban development, much to the detriment of the character and appearance of the countryside and surrounding landscape.
23. Permission for use of the land as car park is only temporary with a condition in place requiring the land to be returned back to paddock once the car park was no longer required. It is therefore not brownfield land and this only serves to further exacerbate the harm which would be caused.
24. The NPPF and the Development Plan encourage and promote the provision of a sustainable rural economy. However, the justification for the proposed development and the associated social and economic benefits of granting this proposal, do not outweigh the environmental harm which would be otherwise caused. The proposal thus fails to accord criteria a) and b) of policies TRS10 and EMP5, and would result in significant and unacceptable visual harm, contrary to policies EN9, EN10, TRS17 and ENV3a

Impact upon Residential Amenity

25. Well divorced from existing residential property, no harm to the amenity would result from this proposal. The proposal therefore meets the requirement of criterion c) of policies TRS10 and EMP5.

Highway Impact

26. Access to the site is existing and 13 car parking spaces are proposed to be provided to serve the development.
27. Compared to its existing use, the proposal would result in increased use of the access. However, adequate visibility splays can be provided and compared to the original proposal, the number of trips generated from the proposed development would be unlikely to have a significant or detrimental impact upon highway safety or on the rural road network which serves the

site. KCC Highways have been consulted and do not object to the development on highways grounds.

28. In light of the above, the proposal is considered acceptable in terms of its impact upon the highway and in accordance with criterion d) of policies TRS10 and EMP5.

Ecology Impact

29. A desktop ecological appraisal of the application site concludes that the ecological potential of the site is low. Indeed the site comprises an area of existing hardstanding and it lies adjacent to the road surrounded by grazed paddock. With the site considered to have limited potential to be used by protected/ notable species the impact of the prospected development upon flora or fauna is considered to be low.
30. Subject to the proposed ecological enhancements and mitigation measures being implemented, no objection to the development is raised by KCC Biodiversity.

Human Rights Issues

31. 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

32. In accordance with paragraphs 186 and 187 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

Conclusion

33. Paragraph 14 of the NPPF planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the framework, taken as a whole; or specific policies in the framework indicate development should be restricted.

34. Policies in the Development Plan and the NPPF support the sustainable growth of business within the rural area. Balanced against this however are the impacts upon the local landscape, the amenities of local residents and the impact on the highway safety
35. The proposal would result in the erection of a new employment premises which by virtue of siting size and design would appear visually prominent and intrusive and it has not been demonstrated that there is an essential or functional need for the building.
36. The harm caused by this proposed development significantly and demonstrably outweighs the benefits of granting planning permission and any economic benefits arising from the development. The proposal fails to comply with the requirements of the NPPF and Development Plan policy as whole. For this reason therefore I recommend the application is refused

Recommendation

Refuse

on the following grounds:

1. The proposed development would be contrary to policies EMP5 and ENV3a of the Draft Ashford Local Plan 2030, Policies GP12, EN9 and EN10 of the Ashford Borough Local Plan, policies CS1 and CS9 of the Local Development Framework Core Strategy (2008) policies TRS10 and TRS17 of the Tenterden and Rural Sites Development Plan Document (2010) and to Government guidance contained in the National Planning Policy Framework (2012) and is therefore considered development harmful to interests of acknowledged planning importance for the following reasons:
 1. The proposal fails to demonstrate an essential need to be located in the countryside and therefore would result in an unjustified and unsustainable form of development.
 2. The proposed development, by virtue its scale, siting and design would result in a visually prominent and incongruous form of development on the periphery of Charing village and, would erode views of the village and the surrounding countryside from Pluckley Road. The development would therefore cause unacceptable harm to the character and appearance of this area and the surrounding countryside.

Note to Applicant

1. Working with the Applicant

Working with the Applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive 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 was informed/ advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters and provided the opportunity to amend the application or provide further justification in support of it.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (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 17/1807/AS.

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Annex 1

