

Application Number	22/00839/AS
Location	1 Grove House, The Grove, Pluckley, Ashford, Kent, TN27 0RR
Grid Reference	592282/143405
Parish Council	Pluckley
Ward	Upper Weald
Application Description	Proposed detached dwelling and associated garaging on existing residential classified land
Applicant	Mr & Mrs Dale
Agent	Price Whitehead
Site Area	0.12 ha

Introduction

1. This application is reported to the Planning Committee at the request of Councillor Clair Bell.

Site and Surroundings

2. The application site consists mainly of incidental garden at the rear of residential properties on the north side of The Grove in Pluckley. It is deduced from the site location map and other accompanying documents that the site is under the ownership of one of a pair of 2-storey semi-detached properties known as 1 Grove House. The site is accessed via a narrow track from The Grove. It is laid to lawn with managed hedges and mature trees straddling its northern boundary. It is occupied by a summer house with an associated patio area, and a workshop/store.
3. Part of the site lies within the confines of Pluckley Station Village as defined in the adopted Local Plan and also within the Pluckley Station Conservation Area

The Proposal

4. Permission is sought for the construction of a 3 bedroom detached chalet bungalow with roof accommodation - intended to provide a suitable home for the applicants' family.

Figure 1 – Site Location

dwelling is now repositioned and has now been moved slightly to the south bringing more of the structure into the confines of the Pluckley Station Village.



Figure 2 – The Proposed Floor Plans and Elevations



Figure 3 – Proposed Site Plan & Street Scene



Figure 4 – Site Photo showing the Existing Summerhouse

Planning History

6. 21/02034/AS: Erection of a detached dwelling with garage within the existing amenity garden – Application withdrawn 02/02/2022

Consultations

7. **Pluckley Parish Council:** The revised application locates the proposed dwelling slightly to the south bringing more of the structure into the built confines of the Pluckley Station/Chambers Green settlement area. The pallet picks up rag stone to acknowledge the stone buildings adjacent. Concerns about fire risk have been addressed.

It should also be noted that, perhaps because of problems with the Borough Council Planning website, the Parish Council has not had an opportunity to see comments uploaded by residents. The planning department should take note of any comments from the immediately adjacent addresses, viz: Stone Lodge,

The Flats 2-6, Lantern Hall, and Number 1, The Grove, as these neighbours are the ones primarily impacted by the proposal.

In the 2021 Neighbourhood Plan (NP) review this site was considered and scored according to the system used in the previous version of the Plan. The Parish consultation permitted the development of 3 smaller new dwellings in the village. That allocation was satisfied in a single development. The proposal here, 22/00839, was the second highest scoring site, and was rejected on the grounds that the housing increase until 2030 had already been

satisfied. Therefore the Council is unable to support this proposal in that it lies outside the NP area.

8.

9. **Neighbours** - 24 neighbours were consulted; A total of 21 representations were received with three (3) expressing support for the proposal, with the remainder either raising objections or providing observations.

A summary of the objections is as follows:

- Conflict with the provisions in both the Local and Neighbourhood Plans;
- Out of keeping with the character of the surrounding area and harmful to the conservation area;
- The design (incongruous – with such examples found in every recent estate in the country) and materials (white weather boarding), would be out of character with the adjacent red brick Victorian buildings;
- Concerns about external lighting and the dark skies approach ;
- Over-development;
- The site lies outside the village confines;
- Harm to biodiversity;
- The area has sufficient housing already identified;
- Increased traffic would cause potential highway safety concerns;
- The site cannot be considered as "previously developed";
- It would be visible from public footpath AW 151 and block the view of the countryside therefrom;
- Damage to trees;
- Impact on drainage; and
- Little difference between the previous and current proposals.

A summary of reasons for support as follows:

- The proposed home is located in a secluded location not overlooking adjoining buildings;
- The design is sympathetic to the area and will be constructed to a high standard by the applicant for his own occupation;
- This is a sensible use of the land;
- The access is already in place and use; and
- Sensible alterations and amendments.

Planning Policy Context

10. **The Development Plan**

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), the Egerton Neighbourhood Plan (2022), Boughton Aluph & Eastwell Neighbourhood Plan and the Kent Minerals and Waste Local Plan (2016).

11. The relevant policies in the Development Plan relating to the application are as follows:-

Ashford Local Plan 2030

SP1 – Strategic Objectives
SP2 – Strategic Approach Housing Delivery
SP6 – Promoting High Quality Design
HOU3a – Residential Windfall Development Within Settlements
HOU5 - Residential Windfall Development in The Countryside
HOU10 – Development of Residential Gardens
HOU12 – Residential Space Standards Internal
HOU15 – Private External Open Space
ENV1 - Biodiversity
ENV3a – Landscape Character and Design
ENV9 – Sustainable Drainage
ENV14 – Conservation Areas
TRA3a – Parking Standards for Residential Development
TRA6 – Provision for Cycling
TRA7 – The Road Network and Development

Pluckley Neighbourhood Plan 2016 - 2031

R1 - Landscape Character and Design
R2 - Protection of Views and Rural Setting
H1 - New Residential Development
H1A - Windfall sites
H2A - Design Standards
H2B - Encouraging Sustainable Development

National Guidance

12. National Planning Policy Framework (NPPF)

The NPPF reiterates the statutory provision at Section 38(6) of the Planning & Compensation Act 2004 which replaces section 54A of the Town & Country Planning Act 1990 and advises that the determination of all planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise. The following sections of the NPPF are relevant to this application:

- 2. Achieving sustainable development

- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

13. National Planning Practice Guidance (NPPG)

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPG was launched. PPG contains a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application

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

Supplementary Planning Guidance/Documents

Residential Parking & Design SPD 2010
Residential Space & Layout (External space standards) 2011
Landscape Character Assessment SPD 2011
Dark Skies SPD 2014
Fibre to the Premises SPD
Sustainable Drainage SPD 2010

Pluckley Parish Village Design Statement

Technical housing standards – nationally described space standards

Assessment

15. The main issues for consideration are:

- a) Principle of Development
- b) Character & Appearance and Effect on the Designated Conservation Area
- c) Trees and Landscape Visual Impact
- d) Residential Amenity and Standards

e) Access Arrangement, Parking Provision and Highway Safety

Principle of Development

16. As mentioned above, part of the site lies within the confines of Pluckley Station Village as defined in the adopted Local Plan and also within the Pluckley Station Conservation Area. In the circumstance, the applicable policies are HOU3a and HOU5 of the adopted Local Plan and H1, H1A and H2B of the adopted Pluckley Neighbourhood Plan.
17. The proposal complies with the listed criteria under Local Plan policy HOU3a in so far as it is partially within the defined Village confines and considered suitable for infilling and is of a scale that can be satisfactorily integrated into the existing settlement.

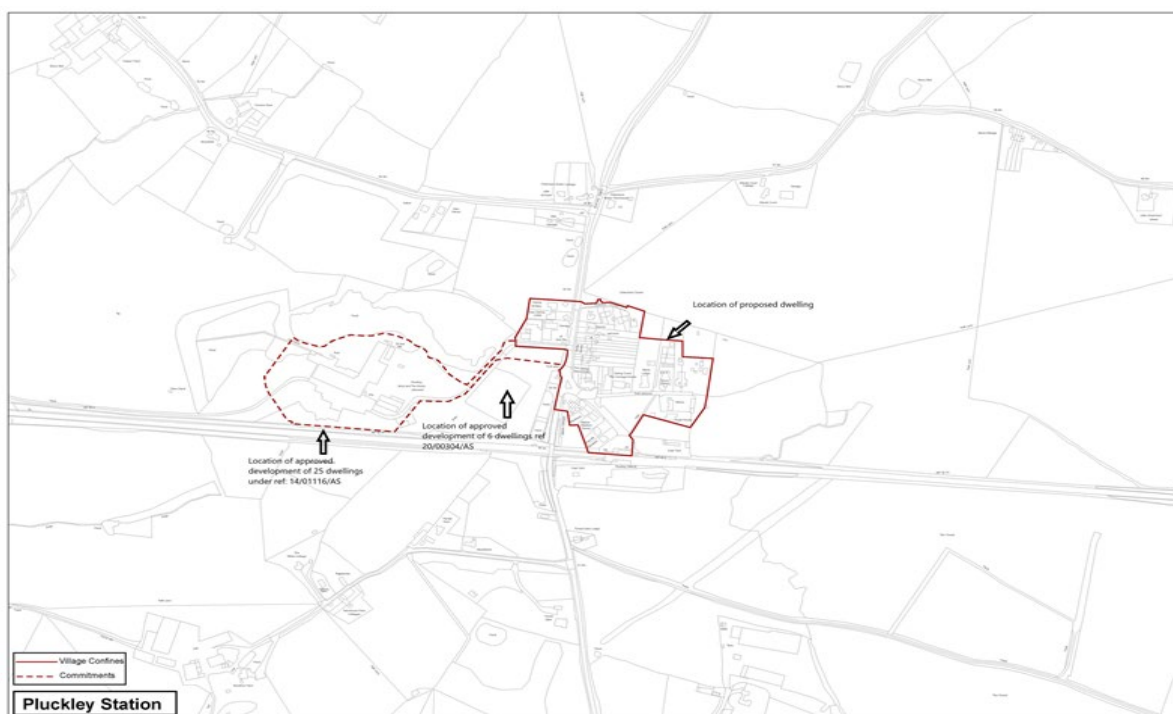


Figure 5 – Pluckley Station Confines Map showing the Site Location and the Location of the recently consented scheme for 6 dwellings ref: 20/00304/AS

18. In relation to HOU5, the policy lists a number of criteria for residential development which are adjacent to or near to a range of sustainable rural settlement, including Pluckley, which is a designated sustainable settlement and within 2km of Pluckley Station. Pluckley, Pluckley Thorne and Pluckley Station collectively form the whole settlement. The application site is within a two-minute walk of Pluckley mainline train station and bus service (120 metres to Pluckley Train station via path, 270 metres via PROW). A public house (Dering Arms) is also nearby (190 metres from the site). The nearest primary school and other services and facilities are located 2 km away in Pluckley Village. The nearest shop is the farm shop just over 1200m from the site. The Village Hall is exactly 1km from the site. This Hall is also 1km from Pluckley village centre evidencing how extended this settlement is. The village school serves the three identified centres and is also within 2km of the site. The bus route passes within 100m of the site and links with the school and other facilities in Pluckley
19. It is a generally accepted principle in Planning Law that every case should be judged on its own merit. Nonetheless, it is worth noting that permission was recently granted for 6 dwellings at nearby Pluckley Brickworks in Station Road under ref: 20/00304/AS. These were adjacent to the access serving the brickworks site which has permission for 25 dwellings and is currently under construction. The 6 dwellings are adjacent to the brickworks site but are outside of the defined village confines. The application site is no further removed from the available services and facilities than the approved

development in Station Road. It is therefore considered that there is an implicit acceptance that this part of Pluckley/Pluckley Station can support some limited growth.

20. Furthermore, policy H1A of the Pluckley Neighbourhood Plan requires consideration of those sites which have not been identified in the Plan, but which may come forward as windfall sites within *“the confines of the continuous developed areas of the three settlement areas of the parish”*. It is understood that the site was considered by the Parish Council as a modest single house infill during the call for sites as part of the preparation of the Village Neighbourhood Plan and was only rejected because another site was given priority due to its capacity for a larger number of dwellings.

21. Local Plan policy HOU10 states that:

Development proposals involving the complete or partial redevelopment of residential garden land will be permitted provided the proposed development complies with the Council's external space standards as set out in Policy HOU15 and; Windfall Housing Policy HOU3a or HOU5 (as relevant);

It does not result in significant harm to the character of the area including the surrounding grain and built pattern of development, the prevailing building density, line, frontage width, building distance from the road, existing plot sizes and visual separation between dwellings; and,

It does not result in significant harm to wildlife corridors and biodiversity habitats.

22. The proposed development satisfies part of this policy being partly HOU3a compliant. A planning balance is required and officers advice to the committee is that it would be difficult to argue the harm relating to the part of the development which lies outside the settlement confines when part lies within. In the light of the foregoing, the modest residential development on this site is, on balance, acceptable in principle.

Character & Appearance and Effect on the Designated Conservation Area

23. Local Plan Policy SP6 requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.

24. In accordance with the statutory test at section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policy ENV14 seeks to ensure that proposals preserve or enhance the character and appearance of Conservation Areas and their settings.
25. The proposed dwelling has an overall ridge height of 7.1 metres, with an eaves height of approximately 2.5 metres. The roof pitch is at 45 degrees, which is comparable with and similar to the adjacent roof profiles. The application site extends to 1216 square metres (0.12 hectare) with the proposed building footprint of 132 sq. metres and a gross internal floor area (GIFA) of 181.8 sq. metres.
26. The proposed development for a single, modest, residential dwelling of low profile is satisfactory in terms of scale, layout and appearance – in keeping with the pattern of the surrounding development. The proposed new dwelling would not harm the aesthetic and architectural integrity of the Conservation Area given that the choice of external facing materials are widely used in Pluckley and are therefore consistent with the provisions in the Pluckley Village Design Statement. The proposal would therefore preserve the character and appearance of the conservation area.

Trees and Landscape Visual Impact

27. The application is accompanied by an Arboricultural Report and together with the submitted plans indicate additional planting and retention of all significant existing trees. Owing to the existing hard surface, the retention of most of the trees and the planting to mitigate the loss of T7 and the apple trees the screening will be retained / enhanced. The key trees are sited to the north and east and would allow for a useable garden space. Moreover, as the trees are within the Conservation Area, they are protected by legislation and there is therefore control over their pruning and loss. The imposition of a condition is recommended to ensure that the trees are not impacted during the construction phase. The proposal therefore complies with Local Plan policies HOU3a, HOU5, ENV3a and policy R1 of the Neighbourhood Plan in this regard.

Impact on Residential Amenity

28. Section 12 of the NPPF refers to design and the standard of amenity. Paragraph 130 (f) states, among other things that planning policies and decisions should ensure that developments:

“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.”

29. Policies HOU3a and HOU5 echo the NPPF’s objective on protection of amenity and seeks to ensure that new residential development do not harm the living conditions of neighbouring occupiers. Having regard to the design and siting of the proposed dwelling relative to the adjacent dwellings, the proposal would not give rise to overlooking or loss of privacy to the adjoining and surrounding neighbours. In relation to the dwellings fronting The Grove and to the south of the application site, the separation distance between the existing and proposed dwellings would ensure that there would be no adverse harm in terms of overlooking or overbearing impact. The bulk and height of the proposed dwelling would not result in adverse overshadowing of the neighbouring garden and neither would it appear visually intrusive.

Residential Amenity and Standards

30. In accordance with policy HOU12 and national guidance, the internal layout and floorspace disposition of the proposed dwelling meet the set standards. It is clear on the submitted drawing numbered 1815 D03 Rev 8 that the proposed dwelling is sited so that most of the existing garden is retained, and as such, the proposal ensures that an area greater than the minimum open space depth required by policy HOU15 is provided. The residual private external space to the applicants existing residential property is also satisfactory and in compliance with the policy standard.

Access Arrangement, Parking Provision and Highway Safety

31. Local Plan policy TRA3a requires the provision of 2 off-street car spaces for a 3-bedroom dwelling in rural and sub-urban locations. The parking provision accords with this policy with two spaces for a 3 bed dwelling and there would be sufficient space for vehicles to turn and leave in a forward gear. Covered cycle parking spaces would be provided in a store to the rear of the car port and an electric vehicle charging point would also be provided.

Conclusion

32. The proposed development has evolved from a scheme that was submitted as part of the pre-application request. The proposal is for a dwelling of a modest scale, sensitively designed to take account of the character and appearance of the area.
33. It is considered that the proposal accords with the relevant adopted policies and is considered to be in a sustainable location in line with the provisions in

both the Local and Neighbourhood Plans and would provide suitable external garden land, access and parking arrangements, and development appropriate to the area utilising materials found in the locality.

34. Footnote 8 of the NPPF establishes that for applications involving the provision of housing, in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (the current HLS figure for Ashford is 4.54 years). the most important policies are out-of-date. As such, paragraph 11(d) criterion (i) applies. Footnote 7 lists the policies that protect areas or assets of particular importance. However, this is not relevant in the case of the application proposal, which is broadly in line with the Development Plan and National Guidance. The application therefore falls to be considered on its own merits and the tilted balance does not apply.

Human Rights

35. 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 represents an appropriate balance between the interests and rights of the applicant (to enjoy his 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) and the wider public interest.

Recommendation

Permit

Resolve to grant planning permission subject to the imposition of the following conditions.

Conditions

- 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 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.

- 3 The development shall be carried out in accordance with the plans and the details (including mitigation measures) set out in the accompanying documents 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 shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the written approval of the Local Planning Authority.

Reason: In the interest of the visual amenity of the locality.

5. The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following: (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) and in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement, to the satisfaction of the Local Planning Authority. Such tree protection measures shall remain throughout the period of construction (b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation; (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation; (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation; (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority. (f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan. (*A specific time limit should be included). It is not considered to be reasonable to use conditions as an alternative to Tree Preservation Orders to secure long-term protection of trees.)

6. The areas shown on the approved drawings as vehicle parking spaces shall be provided, before the use is commenced and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to these reserved parking spaces.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification no extension, enlargement or other alteration of the approved dwelling shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control the development of land and to protect the visual amenities of the locality

8. The approved dwelling shall be provided with at least one electric vehicle charging point prior to first occupation. This must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Reason: To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles.

Informative

Working with the Applicant

1. In accordance with paragraph 38 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,
- In this instance, the applicant/agent was updated of any issues after the initial site visit, was provided with pre-application advice,
- 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). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 22/00839/AS)

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