

Application Number	22/00569/AS
Location	240 Beaver Road, Ashford, Kent, TN23 7SW
Grid Reference	600691 / 141424
Parish Council	Central Ashford
Ward	Norman
Application Description	Convert 3-bedroom 2-storey house to 2 self-contained flats single occupancy, for social housing
Applicant	Ashford Borough Council
Agent	Head of Housing – Development & Regeneration
Site Area	0.03 ha

Introduction

1. This application was reported to the Planning Committee at its meeting on the 9th of November 2022 because the Council is the applicant. The Committee resolved to defer the application and are seeking for further details to be addressed. These details are highlighted below in bold followed by the response from the Applicant - Housing Services.

To allow the Applicant and Officers an opportunity to confirm the lack of need of this four-bed social housing unit in the borough;

2. The conversion of this building is proposed as part of a scheme under the Government's Levelling-Up Department with the aim to help rough sleepers rebuild their lives under a government supported scheme. The loss of the bedrooms is a trade-off for a better targeted use of space. The conversion of these properties is encouraged and we are looking at several 3-bedroomed homes to be converted under the scheme.
3. Although larger properties are always a priority, this property is old and not very well proportioned. It lacks parking facilities and although the front curtilage has a hard standing, access is difficult if the neighbour has a car parked on their drive. Furthermore, the Energy rating is D and the building requires major upgrade and refurbishment.
4. Although the property is not in a good condition for a family, the property's location is ideal for tenants under the Rough Sleepers Accommodation Programme (RSAP) scheme and not too far from the town to enable the tenants' access to all the necessary amenities and support network.

5. [Letting accommodation funded through the Rough Sleeping Accommodation Programme: guidance for local authorities and private registered providers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/letting-accommodation-funded-through-the-rough-sleeping-accommodation-programme)

To allow the Applicant and the Officers further opportunity to confirm if a parking space within the adjacent public car park can be solely for use in connection with the proposed flats;

6. Off-street parking provision is not considered a necessity for the proposed flats which is intended to cater for former rough sleepers who have very few possessions and highly unlikely to have a car.
7. **Planning Officer's observations:** There are on-street parking restrictions around the site and the surroundings to deter indiscriminate parking which are likely to undermine highway safety. Furthermore, the site is already in proximity to a public car park.

To allow the Applicant and Officers to establish if an EV Charging Point, in addition to those already approved, can be provided within the adjacent car park for the sole use of the future residents of the flats;

8. Previous parking and access from the adjacent land was an informal arrangement. It is very unlikely that a tenant will have a car of any description. Locked external power points may be made available to the front /rear of the building to allow EV charging. EV Charging points can be included in the specification.
9. **Planning Officer's observations:** The site's location and constraints make off-street parking provision difficult and the reference to an existing space in the officer's report related to a sub-standard space use of which should not be encouraged by the provision for on-site EV charging. It is therefore suggested that the EV charging condition (No.5) is dropped from the proposed recommendation.

To allow the Applicant to provide details of any proposed sound-deadening measures between the new flats;

10. A Sound Insulation Design Advice was prepared following a comprehensive survey of the building. In any case, the sufficiency of the measures would be examined as part of the Building Control approval process.
11. The report presented to the Planning Committee at its November meeting is reproduced at Appendix 1 below.
12. **Stodmarsh.** Members' attention is drawn to the contents of the Update Sheet for the November meeting agenda which substitute paragraphs 17 and 18 of the original report as follows:

Under the Council's adopted screening process the assessment of potential impact on the Stour catchment could result in an increase in nutrients. This is because the calculation is based upon average occupancy rates. The average occupancy for a dwelling is 2.4 people and the average occupancy for a flat is 1.75 people. Applying this methodology the occupancy of the proposed development would actually be greater than for the existing dwelling. The proposal therefore requires further assessment to see if the occupancy of the flats can be secured by condition to be no more than 1 person per flat as stated in the report.

13. **Therefore it is proposed to make the recommendation subject to the standard requirement as detailed below.**
14. **Condition and Informative:** The Update Sheet also details the changes to condition 5 and an additional informative proposed.
15. In the light of the responses at paragraphs 6 to 9 above, officers now consider that off-street parking provision is unnecessary for the proposed development. In the circumstance, condition 5 that seeks details and provision of EV Charging Point is considered unnecessary and no longer recommended.

Conclusion

16. Overall, for the reasons set out above and in the amended Officer's report in appendix 1 the proposed development is satisfactory and therefore recommended for approval.

Recommendation

Permit

Subject to the applicant submitting information to enable an Appropriate Assessment under the Habitats Regulations to be adopted by the Assistant Director for Planning and Development which identifies suitable mitigation proposals such that, in their view, having consulted the Solicitor to the Council & Monitoring Officer, and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager to add, amend or remove planning conditions as they see fit to secure the required mitigation, resolve to grant planning permission subject to the imposition of the following 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 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 form and the approved plans 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.

Informative

1. Working with the Applicant

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.

2. Proposed additional Informative:

The applicant should note the code of practice hours in relation to potentially noisy construction/demolition activities which are 0800-1800 Monday to Friday, and 0800-1300 hours Saturday. Noisy works should not, in general, occur outside of these times, on Sundays or Bank/Public Holidays. In addition, the applicant should note that it is illegal to burn any controlled wastes, which includes all waste except green waste/vegetation cut down on the site where it can be burnt without causing a nuisance to neighbouring properties. Finally, the applicant should take such measures as reasonably practical to minimise dust emissions from construction and demolition activities and for that purpose would refer them to the IAQM guidance on controlling dust on construction sites.

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 22/00569/AS)

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Appendix 1

Introduction

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

Site and Surroundings

2. The application site lies on the north side of Beaver Road, close to the junction of Norman Road. It backs onto the South Ashford Allotment Gardens and is bounded to the west by the Council owned public car park, the extension of which received Committee resolution to approve in October last year under application reference 21/01060/AS.

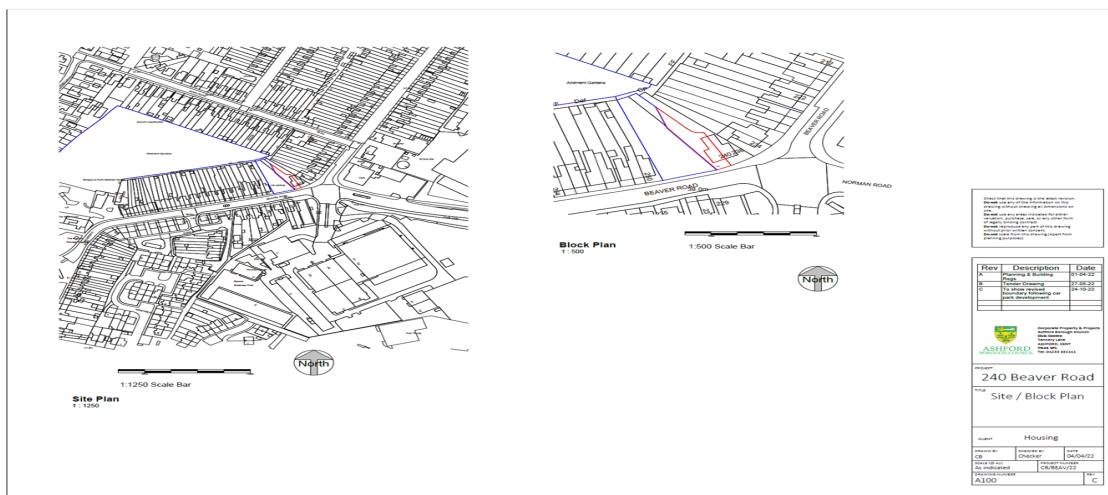


Figure 1: Site Location Plan

- 3.



Figure 2: Photograph showing the pair of semi-detached dwellings



Figure 3: Photo showing the flank elevation of the dwelling. The adjacent car park (under construction) in the foreground

4. The site is occupied by one of a pair of 2-storey semi-detached dwellings with hip roof profile and an elongated rear projection which is about half the width of the main building. The dwelling comprises 4 bedrooms on the upper floor with a sizeable lounge, dining room, kitchen and an additional bathroom on the ground floor.

The Proposal

4. Full planning permission is sought for the conversion of the dwelling to 2 self-contained 1-bedroom flats (one on each floor). There are associated internal alterations, but the external alterations are minimal and comprise the replacement of the French doors on the rear elevation of the main building at ground level with a window with a height of 900mm and tilt & turn operation to allow secondary escape. On the flank elevation facing the car park, it is proposed to swap a window with a door and vice versa.

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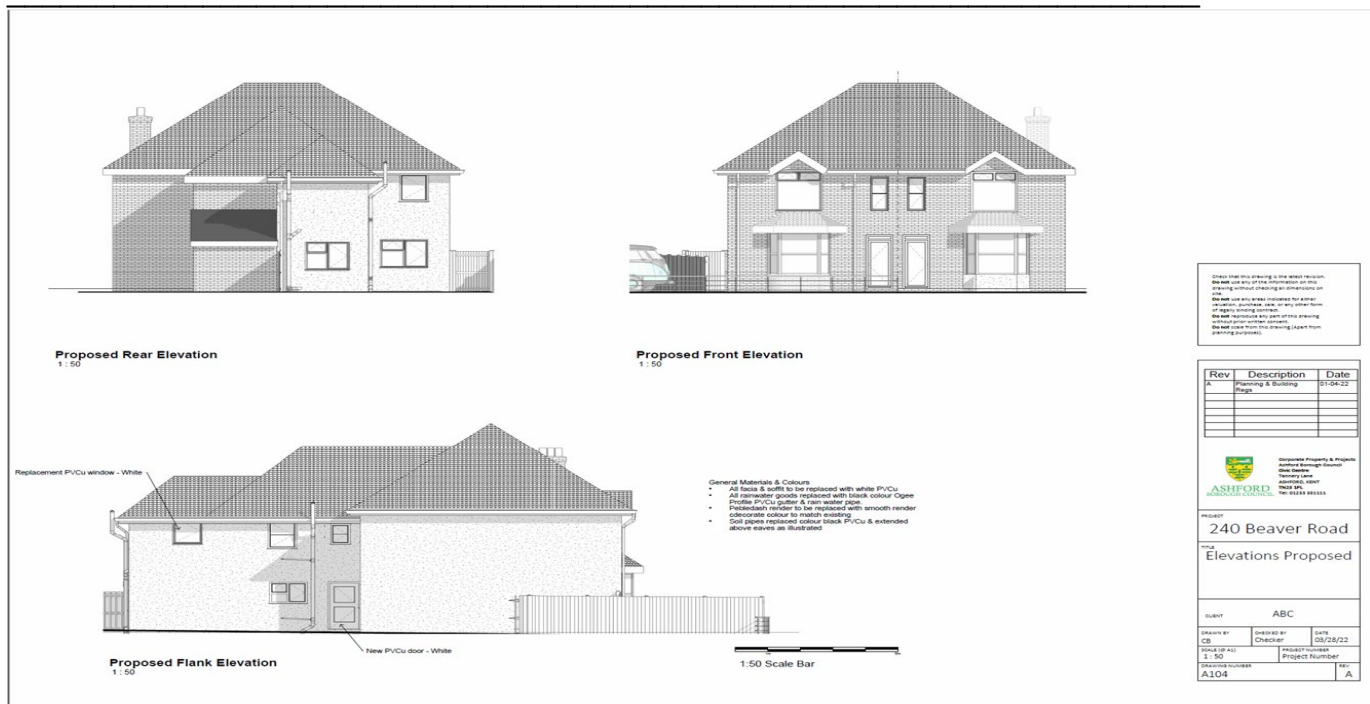


Figure 4: Proposed elevations

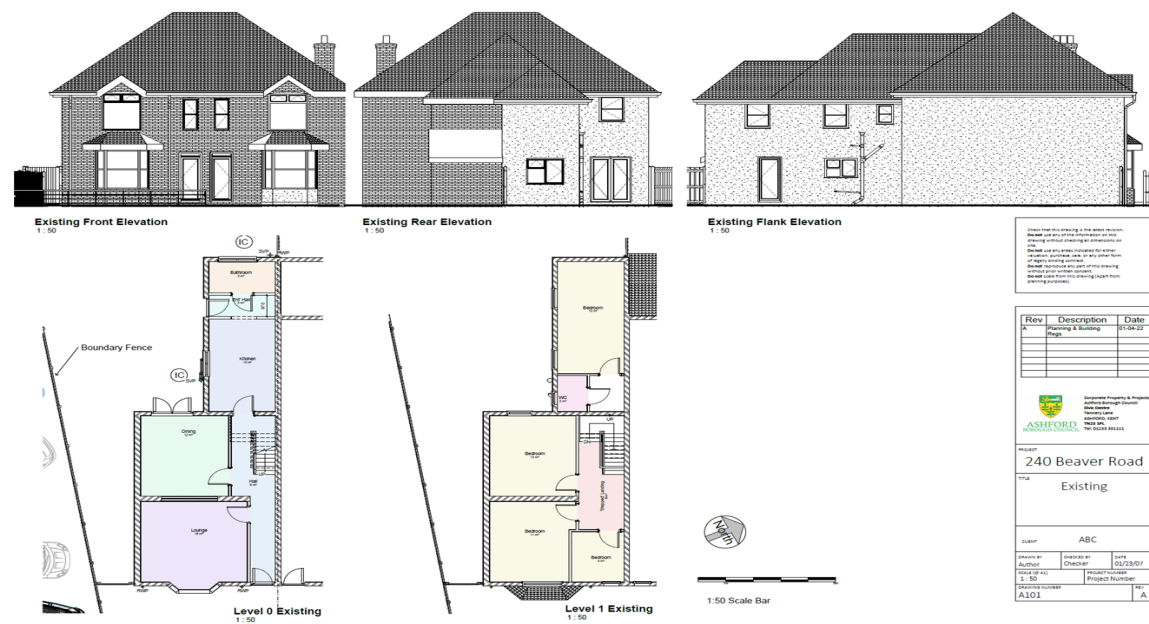


Figure 5: Existing floor plans and elevations

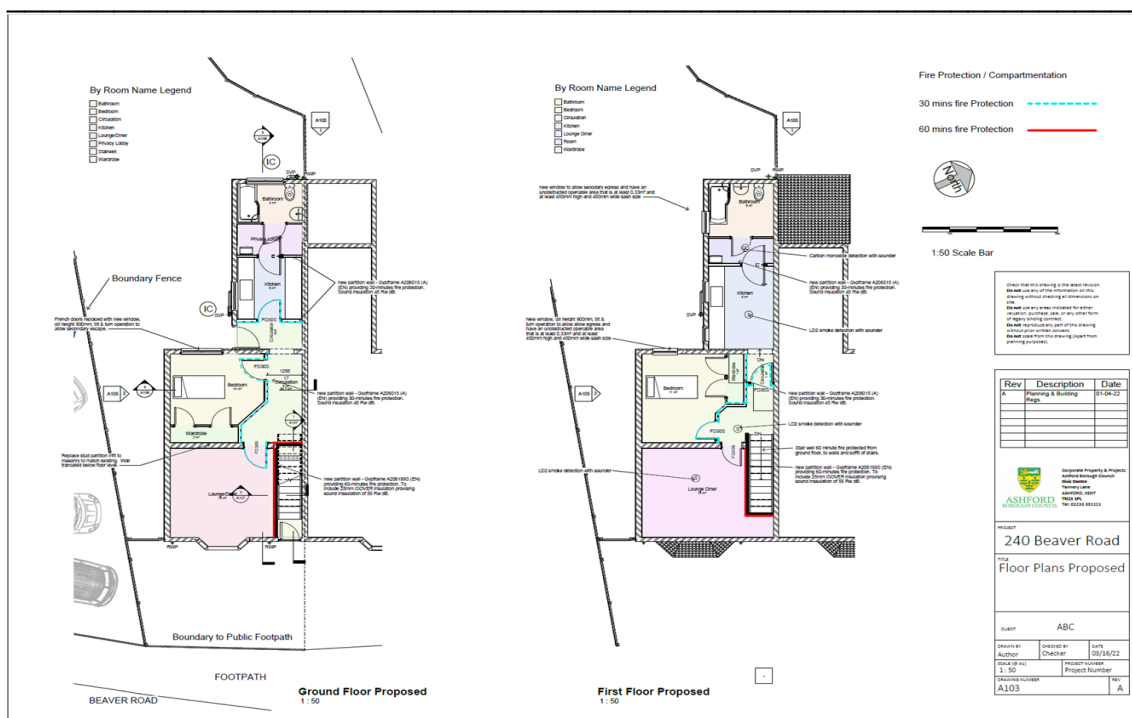


Figure 6: Proposed floor plans

Planning History

- 21/01060/AS - Change of use of portion of rear garden of number 240 Beaver Road to public car park. Formation of revised access from Beaver Road.

Consultations

- Four (4) neighbours were consulted and 1 response was received raising objection to the proposal. The grounds of objection are:
 - Noise nuisance;
 - Conversion to flats would decrease property value;
 - The extension to the car park and the proposed conversion would cause disturbance arising from increased vehicle movements;
 - Lack of parking spaces; and
 - The length of time to complete the works would add to the disturbance.

Planning Policy Context

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

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

SP1 – Strategic Objectives
SP2 – The Strategic Approach to Housing Delivery
SP6 – Promoting High Quality Design
HOU3a – Residential Windfall Development Within Settlements
HOU12- Residential Space Standards Internal
HOU15 - Private External Open Space
TRA3a - Parking Standards for Residential Development
TRA6 - Provision for Cycling
TRA7 – The Road Network and Development

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

Supplementary Planning Guidance/Documents

Sustainable Drainage SPD 2010
Residential Parking & Design SPD 2010
Residential Space & Layout (External space standards) 2011

9. National Guidance

National Planning Policy Framework (NPPF): The NPPF reflects the statutory provision at section 38(6) of the Planning and Compensation Act 2004 that mandates the determination of all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise (paragraph 47). The NPPF was published on 27 March 2012 but has been amended on several occasions, with the most recent in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places

Planning Policy Guidance: 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 NPPF 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

Technical housing standards – nationally described space standards

Assessment

10. The main issues for consideration are:
- a) Principle of Development
 - b) Design, Character and Appearance
 - c) Residential Amenity and Standards
 - d) Parking Provision and Highway Safety
 - e) Other Matters

Principle of Development

11. There is no specific policy objection to the conversion of larger dwellings into smaller units in the adopted Local Plan. Neither are there compelling housing needs that support the retention of large homes. In the circumstances, there are no reasons why this proposal should not be given a favourable consideration if it complies with the relevant Development Plan policies and standards.

Design, Character and Appearance

12. Local Plan policies SP1 and SP6 require good design and state that all development should seek to create a distinct character, with a strong sense of place and identity. These policies are broadly consistent with the NPPF which attaches great importance to the design of the built environment and seeks to safeguard heritage assets.
13. The proposed external alterations involve the replacement of the patio doors with a window on the rear elevation and the swapping of a window and door on the flank elevation. These are very minor works and non-material alterations which neither detract from the appearance of the building nor detrimental to the character and appearance of the surrounding area.

Residential Amenity and Standards

14. Section 12 of the NPPF refers to design and the standard of amenity. Paragraph 127 states, amongst 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.”

15. The proposal raises no amenity impact issues. The proposed residential use conforms with the surrounding uses and the proposed external alterations would not have any adverse impact on the living conditions of the neighbours. The adjoining occupier has raised concerns about the construction works and the duration, but these are outside planning control.
16. In accordance with policy HOU12 and the provisions in the national guidance, the internal layout and floorspace disposition of the proposed dwellings meet the set standards. The proposal for the adjacent car park extension has reduced the rear amenity space for the dwelling. Nonetheless, the residual external amenity space suffices for the 2 non-family units which are for single persons and at most 2 persons occupation and are therefore satisfactory and in accordance with policy HOU15.

Parking Provision and Highway Safety

17. Policy TRA3a of the Local Plan requires 1 off-street car space for 1-bedroom dwellings with visitor parking expected to be provided in short stay public car park where available. The front curtilage of the site could realistically provide 1 car space whereas 2 spaces are required for the development as a whole.
18. However, the under-provision should be considered in relation to the availability of a public car park adjacent to the site. It should be borne in mind that the development comprises 2 x 1 bed units which are for single person and non-family type households. Furthermore, there are on-street parking restrictions in the area to deter indiscriminate street parking which are likely to undermine free flow of traffic and highway safety.

Other Matters

19. The site is located within the Stour catchment. The Council received advice from Natural England (NE) in respect of the nationally and internationally designated protected sites at Stodmarsh lakes, east of Canterbury. This relates to an increased level of nitrates and phosphates within the protected sites which is adversely affecting the integrity of the habitat of the lakes.
20. The proposal seeks to convert a larger residential dwelling into 2 smaller units, which cumulatively would accommodate not more than 3 occupiers and in comparison less than the total number of occupiers in a 4-bedroom dwelling. This implies that the proposal would result in a reduction in the overnight accommodation and resident population in the catchment area. Therefore the NE advice is not applicable as there would be no net increase in the number of occupiers.

Working with the Applicant

21. In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation and the decision notice.

Human Rights Issues

22. Human rights issues relevant to this application were taken into account in the assessment of this proposal. 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).

Conclusion

23. As mentioned above, there is no specific policy objection to the conversion of larger dwellings into smaller units in the adopted Local Plan. Neither are there compelling housing needs that support the retention of large homes in this part of the Borough. Nonetheless, the proposal complies with the relevant Local Plan policies in relation to design, residential standards and amenity impact. There are mitigating circumstances in support of under-provision in off-street parking, but overall, for the reasons set out above, the proposed development is satisfactory and therefore recommended for approval.