

Application Number	18/00345/AS	
Location	40A and 40B Boxley, Ashford, Kent TN23 4HQ	
Grid Reference	9706/1988	
Parish Council	South Ashford	
Ward	Victoria (Ashford)	
Application Description	Construction of two 3-bed semi-detached houses plus ancillary car parking (Resubmission of application 16/01245/AS).	
Applicant	Ashford Borough Council Civic Centre Tannery Lane Ashford Kent TN23 1PL	
Agent	RDA Consulting Architects Evegat Park Barn Evegat Smeeth, Ashford, Kent TN25 6SX	
Site Area		
(a) 23/-	(b) -	(c) KCC H&T X

Introduction

1. This application is reported to the Planning Committee because it is a Council planning application.

Site and Surroundings

2. The site is located in a 1960s housing estate within the built-up confines of Ashford. Formerly a parking area for the surrounding properties, it is now developed with two semi-detached units with ancillary parking along the western boundary of the site.
3. Surrounding Properties are mostly two-storey terraced units although there are three low-rise blocks to the north of the site. Figure 1 below shows the site in its context prior to the development of the two units.



Figure 1 Location Plan

Proposal

4. This is a resubmission of a previous application approved under 16/01245/AS for the development of two 3-bed semi-detached houses (now built) plus ancillary parking of 9 spaces (See Figure 2)
5. Due to space constraints resulting from existing street parking in Boxley Road, it has only been possible to achieve 7 spaces rather than the 9 that were originally envisaged. These are arranged as 'echelon' spaces (rather than end-on spaces). The approved and new layout are shown in figures 2 & 3 below.
6. Condition 7 of planning permission 16/01245/AS required the vehicle parking spaces, shown on the approved drawings to be provided, surfaced and drained in accordance with details previously submitted to and approved in writing by the Local Planning Authority prior to the occupation of the premises. The Council duly sought to discharge this condition. However, following legal advice, it became apparent that due to the referral of 9 parking spaces in the description of proposed development, a further full application for planning permission would be required to amend the parking layout.
7. For clarity, the change relating to the ancillary parking along the western boundary of the site is the only amendment proposed to the previously approved scheme (16/01245/AS). This is therefore, the only issue that need be considered.

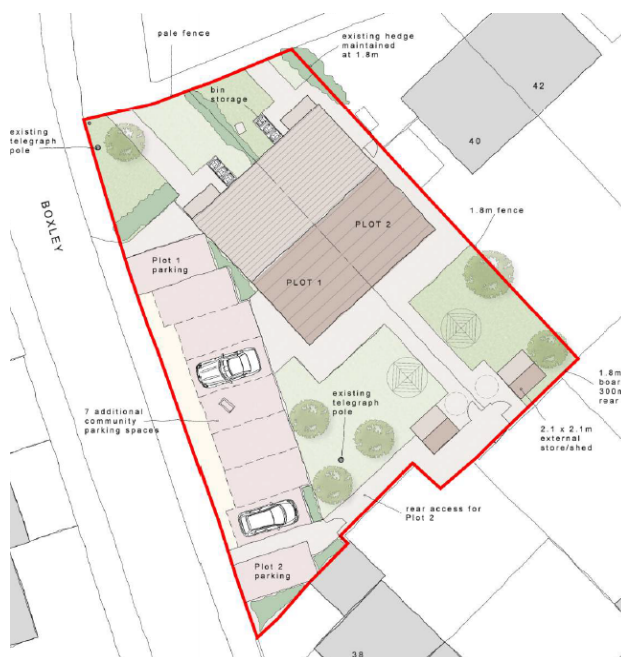


Figure 2: Proposed layout - approved scheme (16/0145/AS)

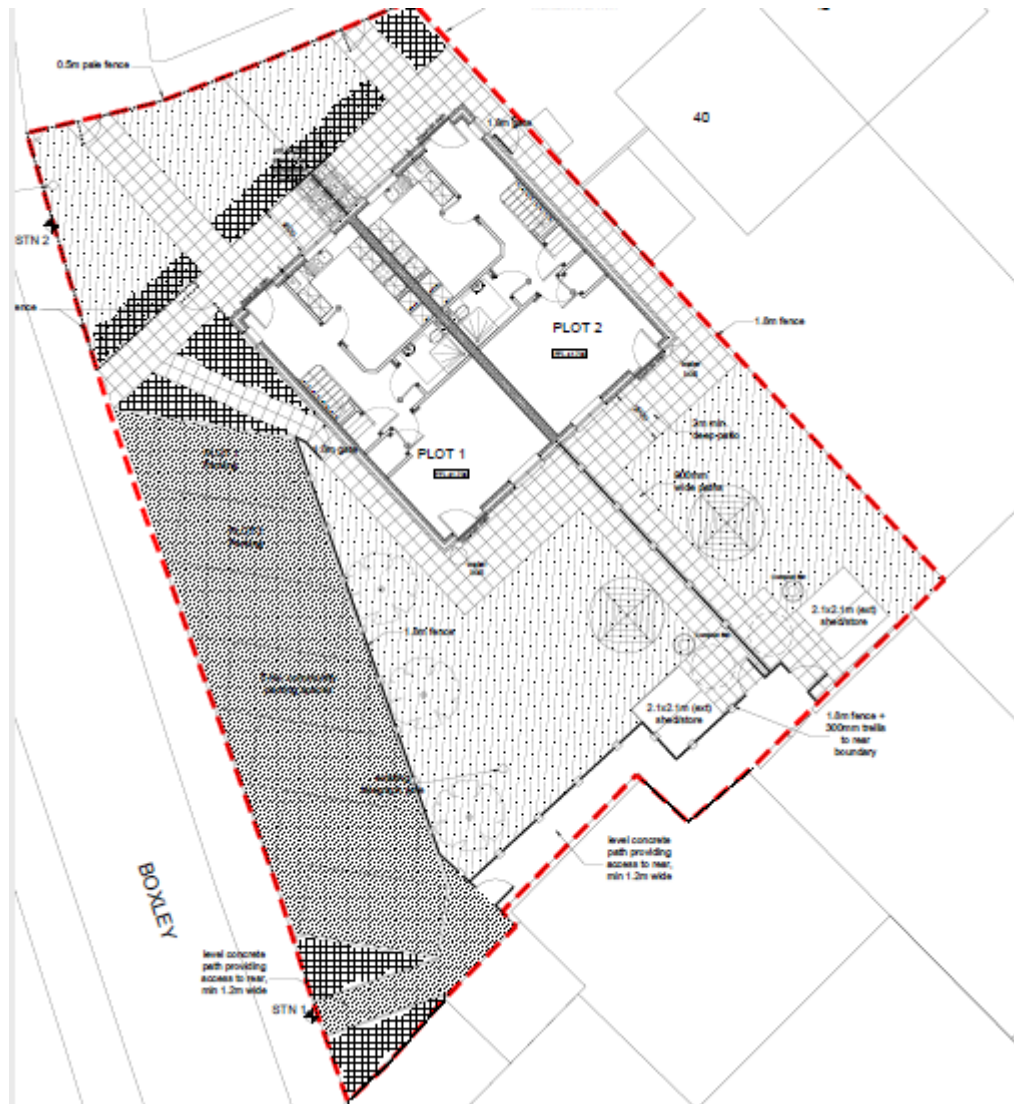


Figure 3 Layout Plan – Proposed Scheme

8. The ancillary parking, as built, is shown in figures 3 and 4. It is at an angle to the street – 'echelon' parking – which takes up more space than end-on parking.



Figure 4 Parking as built.

Planning History

12/01196/AS Erection of two dwellings APPROVED – lapsed

16/01245/AS Construction of two 3-bed semi-detached houses plus ancillary parking of 9 spaces. Approved.

16/01245/CONA/AS Discharge of Conditions 2, 3, 5, 6, 10 and 11. Details Approved.

16/01245/CONB/AS Discharge of Conditions 7 and 10 (in part). Details Approved.

Consultations

Ward Members: No comments have been received

Neighbours: A total of 23 neighbours were consulted. No observations have been received.

Planning Policy

9. 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 is now undergoing examination as such its policies should now be afforded weight in accordance with paragraph 216 of the NPPF.

10. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

HG5 Sites not on the Proposals Map

Local Development Framework Core Strategy 2008

CS1 Guiding Principles

CS2 The Borough Wide Strategy

CS4 Ashford Urban Area

CS9 Design Quality

CS15 Transport

CS20 Sustainable Drainage

Urban Sites Development Plan Document 2012

UO Presumption in favour of sustainable development

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

Ashford Local Plan to 2030

SP1 Strategic Objectives

SP2 The Strategic Approach to Housing Delivery

SP6 Promoting High Quality Design

HOU3a Residential windfall development within settlements

TRA3a Parking Standards for Residential Development

HOU12 Residential space standards internal

HOU14 Accessibility Standards

HOU15 Private external open space

HOU18 Providing a Range and Mix of Dwelling Types and Sizes

ENV7 Water Efficiency

ENV8 Water Quality, Supply and Treatment

ENV9 Sustainable Drainage

Supplementary Planning Guidance/Documents

Residential Parking and Design Guidance SPD (2010)

Government Advice

National Planning Policy Framework (NPPF) 2012

12. 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:-
13. 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

14. The principle of development as well as issues of visual and residential amenity were established under a separate planning permission (16/01245/AS) and the units have been built in accordance with the approved plans.
15. The original application included the provision of 9 ancillary parking spaces within the description of development which were to be provided along the western boundary of the site. Only 7 have been achieved and this new planning application is to look at the acceptability of this reduction in the amount of parking. Given that this is the only change to the previously approved scheme parking provision is the only issue that needs to be reconsidered.
16. Whilst this proposal provides for two less parking spaces than the original approved scheme, it would still provide sufficient parking (4 spaces) to meet its own parking needs.
17. The additional parking spaces over and above those required to meet the needs of the development were intended to provide an additional resource for the local area but due to existing street parking it has not been possible to provide these spaces without 'taking out' existing parking within the street.
18. Therefore, whilst less 'formally marked' spaces have been provided, the overall capacity of the street environment to accommodate parking has not been compromised.
19. KCC Highways and Transportation have been consulted, and raise no objection to the reduction in parking or the parking layout, subject to a condition securing the retention of the parking bays.
20. For the reasons set out above, the proposal is not considered to raise any issues in terms of highway safety.

Human Rights Issues

21. 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

22. 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

23. The scheme has been built in accordance with the plans approved under planning permission 16/01245/AS. That is with the exception of the parking area where 7 echelon spaces rather than 9 end-on spaces have been provided.
24. The need to reduce the number of parking bays provided has come about due to space constraints within the street. Whilst this proposal would result in the loss of two parking bays, the new layout would allow informal parking to be retained within the street itself. The proposal remains acceptable in terms of its parking provision, providing sufficient parking to meet its own needs plus two additional parking bays.
25. Consultation with Kent Highways and Transportation confirms that the proposal raises no issues in terms of highway safety. It is therefore concluded that the proposed development accords with the Development Plan as a whole.

Recommendation

Permit

Subject to the following Conditions and Notes:

1. The area shown on plan ref. no. 16.154.201 P as vehicle parking spaces shall be retained available for use and no permanent development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall be carried out so as to preclude vehicular access to these parking spaces facilities.

Reason: To ensure the provision and retention of adequate off-street parking facilities for vehicles in the interests of highway safety.

2. The landscaping scheme for the site shall be carried out fully within 12 months of the completion of the development in accordance with the details approved under application reference 16/01245/CONA/AS. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

3. The storage facilities for bicycles and refuse shall be provided, in accordance with details approved on drawing numbers 16.141-09 approved under application reference 16/01245/AS and 16.154.201 Rev P hereby approved before the use is commenced or the premises occupied, and shall be retained and maintained available for use by the occupiers of the premises thereafter.

Reason: To ensure the permanent retention of cycle parking in the interest of promoting sustainable modes of transport.

4. The boundary treatment shall be provided before the occupation of the dwellings, in accordance with details approved on drawing numbers 16.141-09 approved under application reference 16/01245/AS and 16.154.201 Rev P hereby approved and shall thereafter be maintained.

Reason: To ensure a satisfactory appearance upon completion and in the interest of amenity.

5. The drainage system approved under planning permission reference 16/01245/CONA/AS shall be provided and maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use.

Reason: In order to ensure the sustainable storage and disposal of surface water in accordance with Core Strategy Policy CS20.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no development shall be carried out within Classes A; of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

Reason: In the interests of protecting the character and amenities of the locality.

7. 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 and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

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.

8. 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.

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

- was provided with pre-application advice,
- 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 18/00345/AS.

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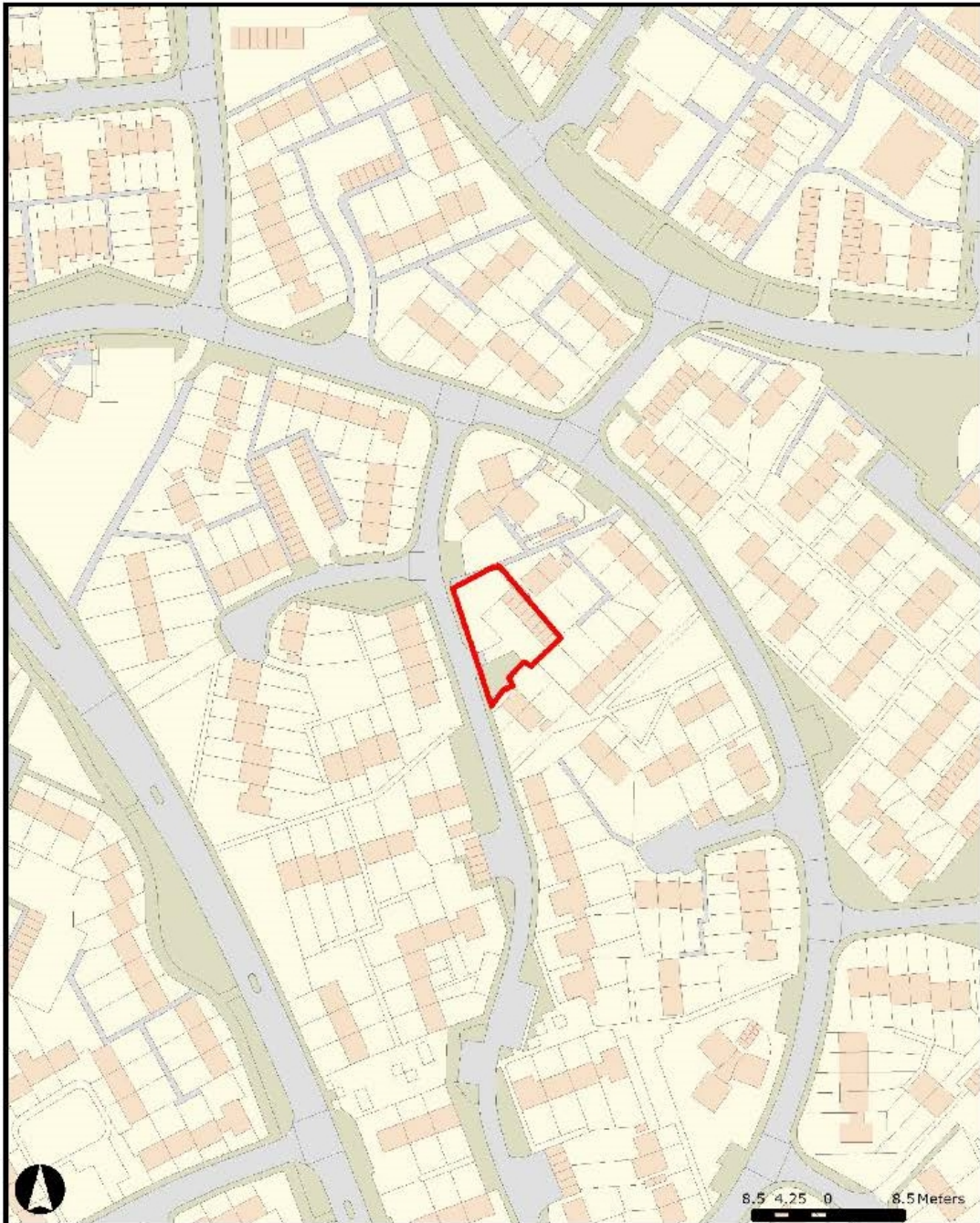
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Annex 1



Ashford Borough Council



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