

Application Number	22/00567/AS	
Location	Land between 10 and 13, Heathside, Appledore, Kent	
Grid Reference	595457/130453	
Parish Council	Appledore	
Ward	Isle of Oxney	
Application Description	Erection of 1 (no) block of flats comprising 4 (no) apartments including associated vehicular and pedestrian access, parking and landscaping	
Applicant	Ms Sharon Williams, Ashford Borough Council Housing Services	
Agent	Ms A Asra, BPTW, 40 Norman Road, Greenwich, London, SE10 9QX	
Site Area		
(a) 12/4R	(b) Appledore R	(c) KCCE X, KCC H&T X EH X

Introduction

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

Site and Surroundings

2. The application site comprises an irregularly shaped, open, parcel of land that lies between Nos 10 and 13 Heathside, within the built up confines of Appledore Heath. Located on the edge of the settlement with agricultural fields, open countryside to the east, the site is not subject to any landscape restrictions and lies within the Old Romney Shorelines Settlement Landscape character area, where the overall guidelines for the area are to conserve the landscape.

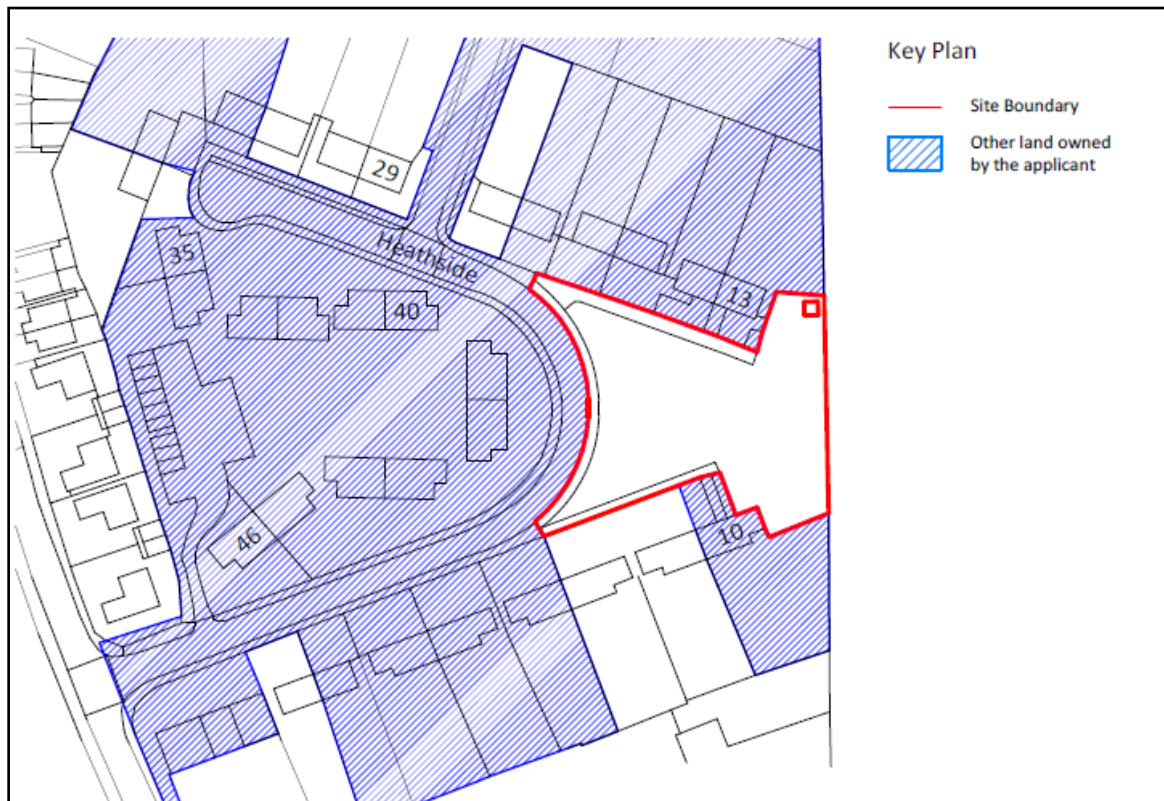


Figure 1: Site Location

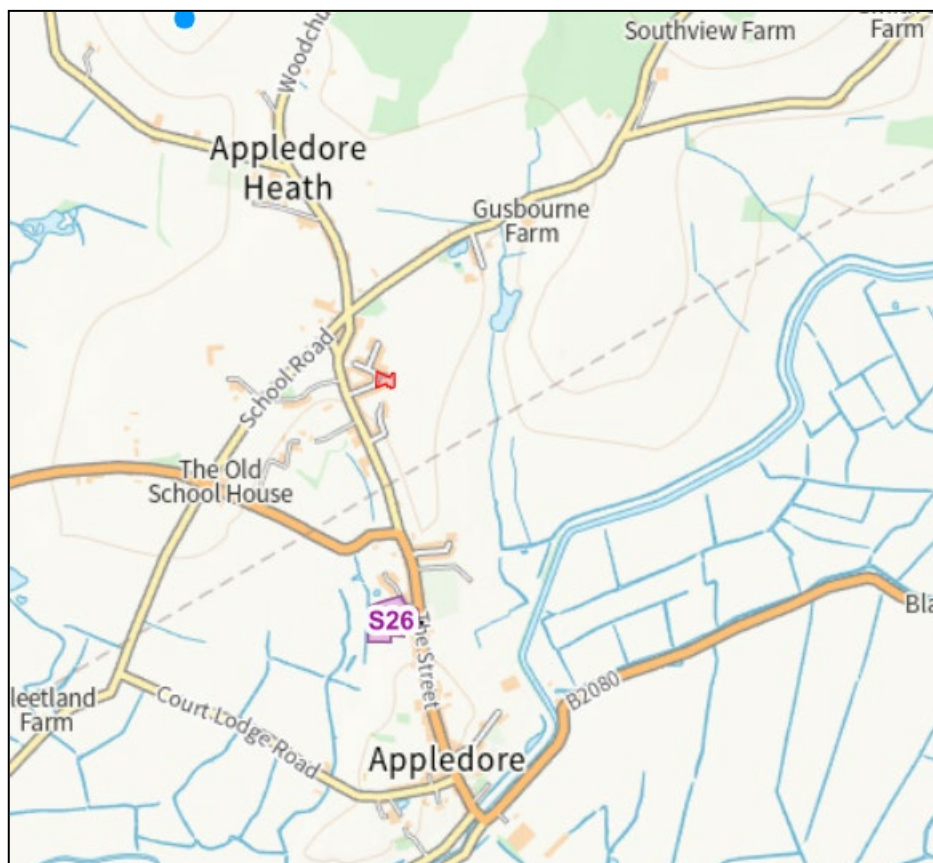


Figure 2: Site is relation to nearest settlements

Proposal

3. Planning permission is sought for the erection of a single two-storey block of flats comprising 4 one-bedroom 2 bed space units (2 flats on the ground floor and 2 flats on the first floor), with associated vehicular and pedestrian access, parking and landscaping.
4. Facing west is a small area of open space which the access road to the proposed flats would loop around. 10 car parking spaces are proposed in total, with 4 dedicated bays for the residents of the proposed flats located directly in front of and adjacent to the building, a dedicated bay for no.10 Heathside, and 5 visitor spaces on the turn of Heathside (west of the site).
5. The form and massing of the block has been designed to closely match that of the adjacent houses with a simple gable-pitched roof form with entrance doors to ground floor flats located at the front of the building. Front doors to first floor flats are to be located to the side and external canopies are provided to denote and give focus to the side entrances.
6. A muted material palette comprising grey plain roof tiles, red bricks, and dark beige windows with double soldier brick detail is proposed along with solar panels on both the front and rear roof slopes.
7. Private external amenity space for each flat is proposed in the form of a secure rear garden with direct access from each unit. Two existing category B Elm trees in the centre of the open space are to be retained with one category B Norway Maple tree to be removed. 3 new trees are proposed within the green space opposite the building.



Figure 3: Existing Street View

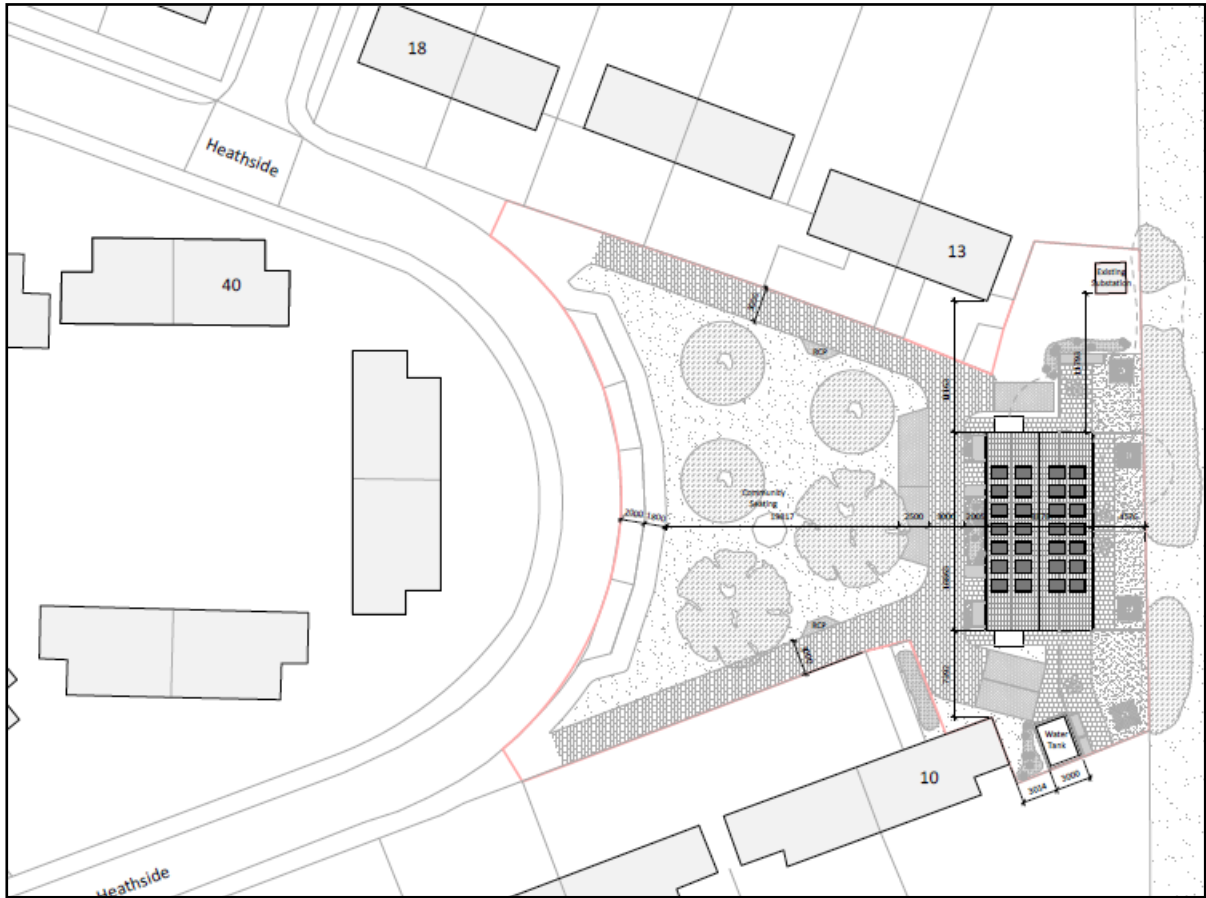


Figure 4: Proposed Site Layout



Figure 5: Existing and Proposed Elevations East Elevation

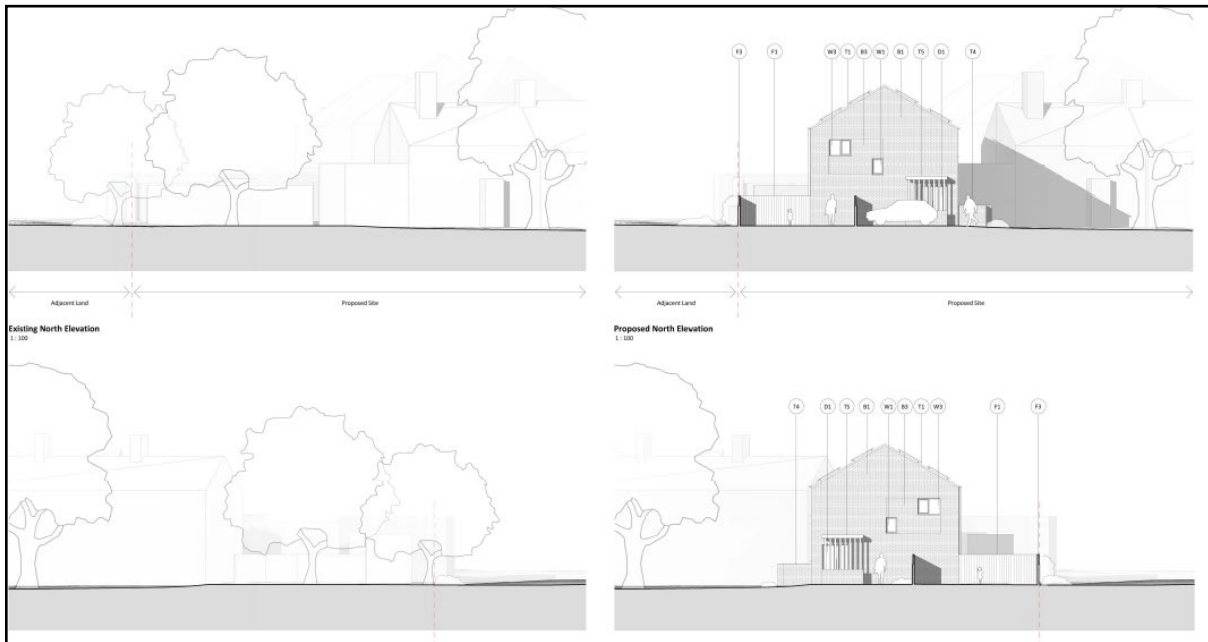


Figure 6: Existing and Proposed Elevations North and South Elevations

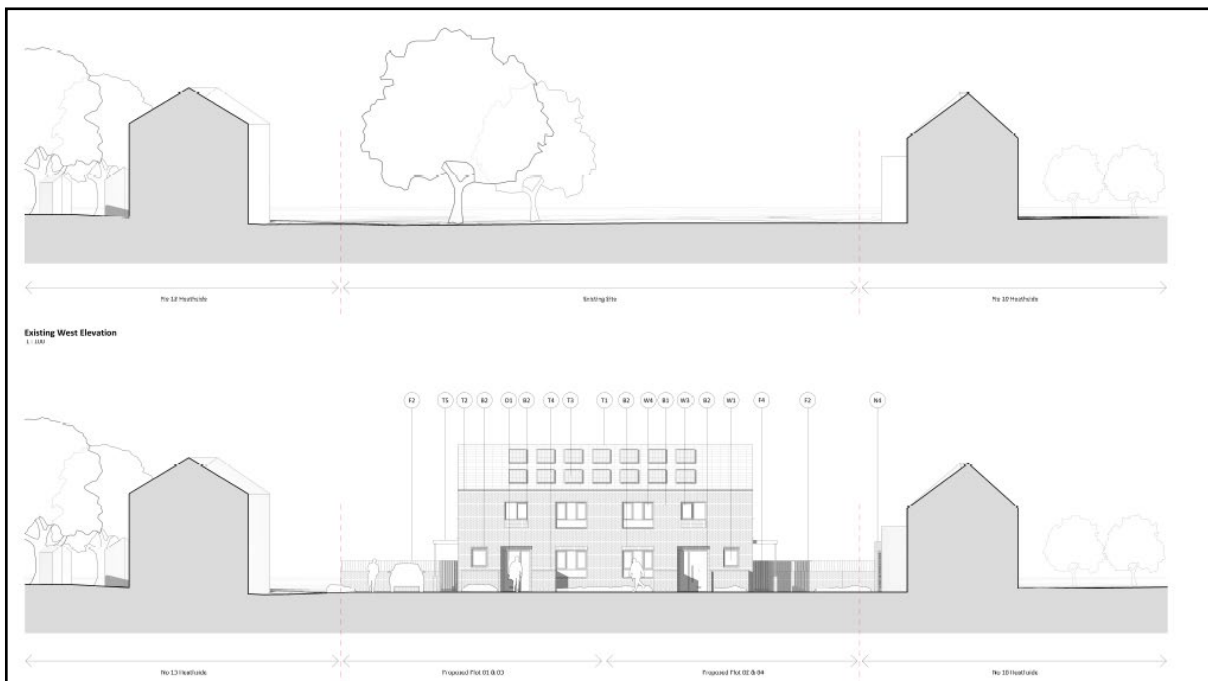


Figure 7: Existing and Proposed Elevations West Elevation

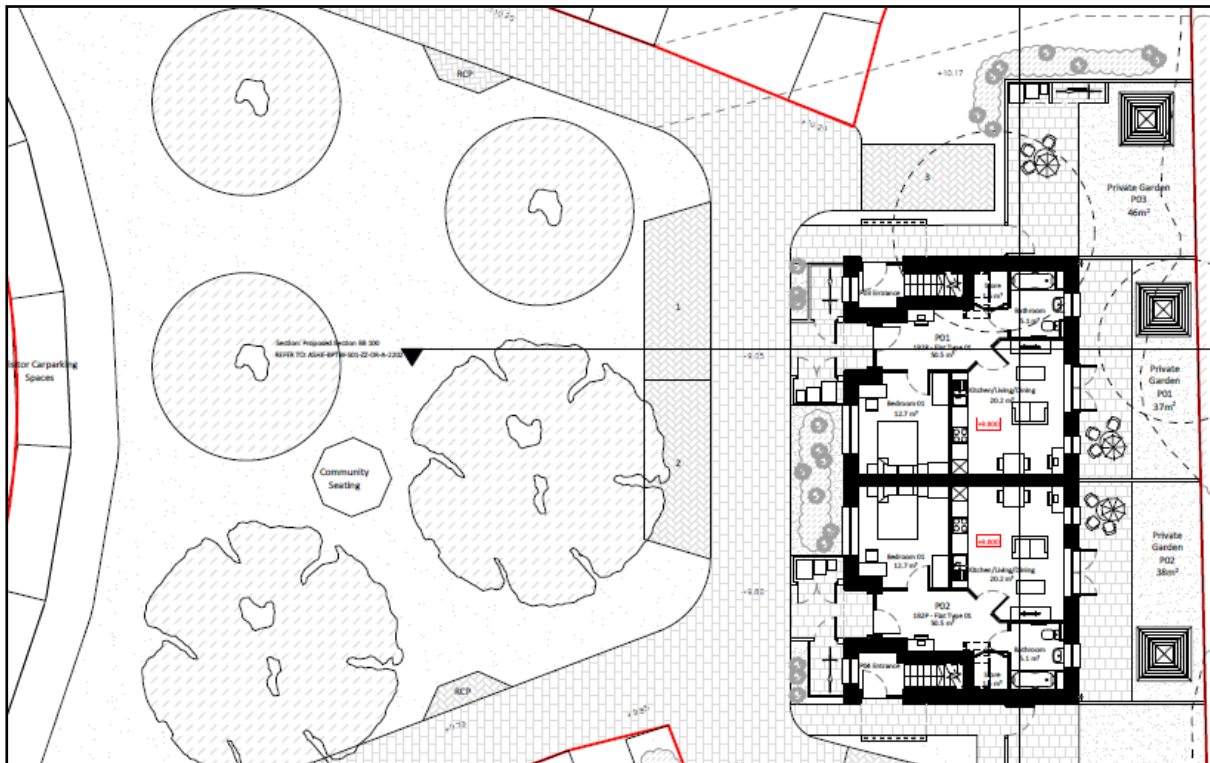


Figure 8: Proposed Ground Floorplan

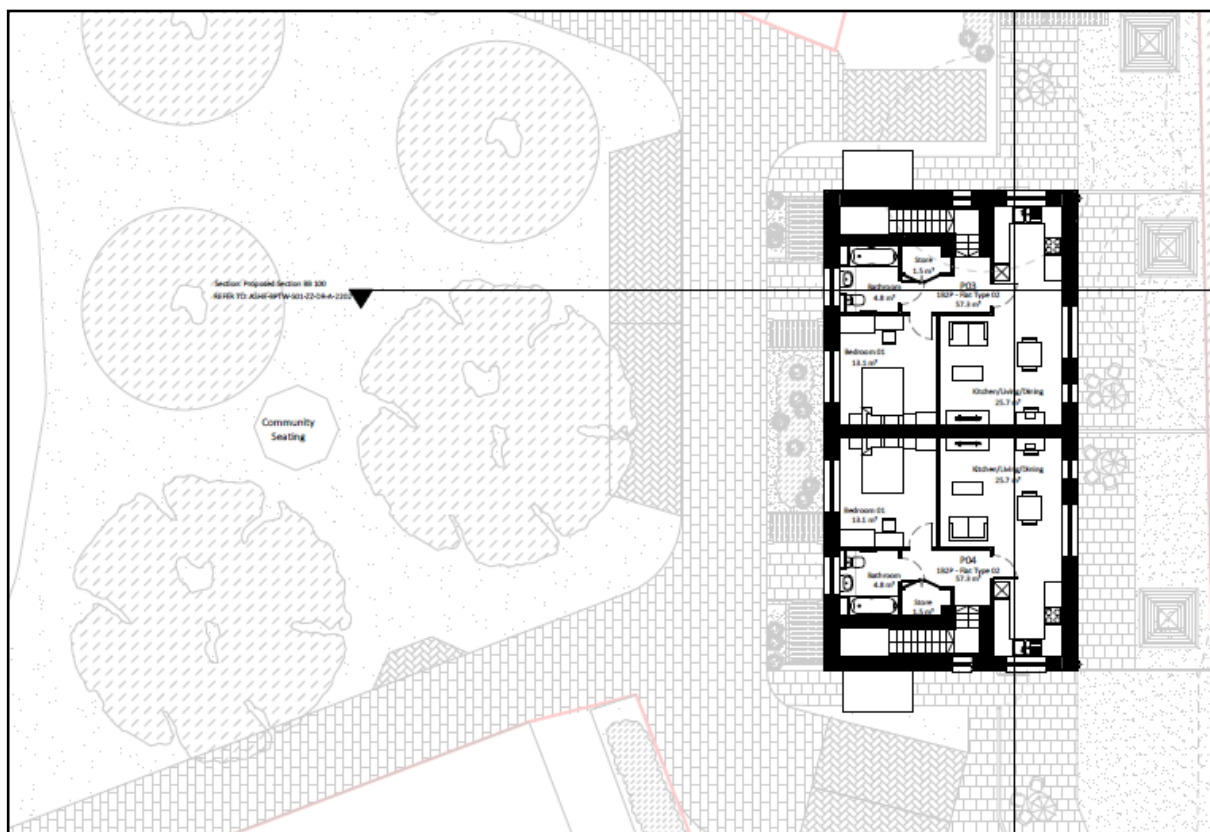


Figure 9: Proposed First Floorplan

Planning History

8. The following is relevant relating to the application;-

DC	FA	14/01532/AS	Erection of 2 No 2 bedroom dwellings	WITHDRAWN	27/02/2015
----	----	-------------	--------------------------------------	-----------	------------

Consultations

Ward Member: Is a member of the Planning Committee (Chair)

Appledore Parish Council: Object on the basis of highway safety

- There is already a lack of parking for the existing homes.
- Most homes only have one official parking space, whilst the occupants have at least 2 cars.
- Area proposed for additional parking on the bend is already parked along.
- Application provides just 4 spaces for the flats with one for visitors whilst the occupants will most likely have 2 cars each.
- Road to the flats will remove parking to 6 homes.
- Application produces 10 spaces whilst removing 12 spaces and an additional 8 spaces will be needed for the new flats.
- Number of cars parked will reduce the visibility of children who play in this open space.

KCC Highways and Transportation: Proposal does not meet the criteria to warrant involvement from the Highway Authority.

KCC Ecological Advice: Sufficient ecological information has been provided. Request conditions regarding lighting design and ecological enhancements.

Environmental Protection: No Objection subject to conditions regarding electric car charging points and reporting of unexpected contamination.

Neighbours: 12 consulted. 4 letters of objection received stating the following

- Proposed building is an eyesore and does not fit in with the surrounding houses.
- Site is on the EA flood zone and regularly floods in heavy or prolonged periods of rainfall.
Officer Comment: The site does not lie within a designated Flood Zone 2 or 3.
- Site is used by local children to play on. It is also the only green space left on Heathside and Appledore, apart from the recreation ground.

- Proposal will greatly reduce the green open space available to the detriment of air quality and ambience within the estate.
- Supporting documents states there are a number of sources of contamination from infill, high water table and possible gasses. There is also an electrical sub station on the site.
Officer Comment: The site does not lie within an area of known contaminated land. Reporting of any unexpected contamination would be required as a condition of any planning approval, should Members be minded to approve the application.
- Proposal will remove established footpath access into the field at the rear of the proposed site, with no provision on submitted plans to maintain or replace this established footpath.
Officer Comment: Said footpath is neither a public right of way nor a bridleway.
- Site is unsuitable for building - no provision in plans showing the location of site office and or storage facilities for tools and materials.
Officer Comment: Such details would be required as a condition of any planning approval, should Members be minded to approve the application.
- Proposed location for trades to park while working on site, will impact all residents and the local area.
- Issue of parking in Heathside and the road is narrow as it is.
- No mention of what will be done to reduce noise and dust pollution for the duration of the build or how the building site will be secured to stop children playing on the green space they currently use when not flooded.
Officer Comment: Noise and disturbance arising from the construction works would be dealt with under separate legislation. The applicant would however be required to adhere to 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.
- Widening the access to 3m to allow vehicle tracking and to enable vehicles to pass and drive around 2 way will bring the slip road into very close contact with existing trees on the site.
- Comment regarding 10 new parking spaces is also misleading as only 4 new spaces will be built. One resident will have their existing space moved presumably without their consent, and the 5 other "new" spaces are where cars already park on the road.
Officer Comment: Drawing ASHE-BPTW-S01-ZZ-DR-A-0101 sets out the proposed parking, the impact of which is assessed later in the report.

- Proposal will block views of Mill Hill as well as blocking direct sunlight,
Officer Comment: Loss of a view is not a material planning consideration and therefore cannot be afforded any weight in the determination of this application.
- Proposal will remove the access to number 10's back gate and no provision shows in plans for this to be maintained.
Officer Comment: Access to No 10's back garden is provided for within the proposed plans.
- Imperative that fire appliance access is available and as a resident of the proposed development.
Officer Comment Widening the access to 3m would allow a fire appliance to access to the proposed building.
- Proposal is too weak on carbon reduction measures.
- No infrastructure to support the new housing developments. There is one primary school, in Hamstreet & public transport is very limited with one bus a day in and out. The railway station is three miles way.

Planning Policy

9. 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 Boughton Aluph and Eastwell Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022) and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
10. The relevant policies from the Development Plan relating to this application are as follows:-
 - SP1 – Strategic Objectives
 - SP2 – The Strategic Approach to Housing Delivery
 - SP6 – Promoting High Quality Design
 - HOU3a – Residential Windfall Development
 - HOU12 – Residential Space Standards (internal)
 - HOU14 – Accessibility standards
 - HOU15 – Private external open space

ENV1 – Biodiversity

ENV3a – Landscape Character and Design

ENV4 – Light pollution and promoting dark skies

ENV7 – Water Efficiency

ENV9 – Sustainable Drainage

TRA3a – Parking Standards for Residential Development

TRA6 – Provision for Cycling

EMP6 – Promotion of Fibre to the Premises (FTTP)

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

Supplementary Planning Guidance/Documents

Residential Space and Layout SPD 2011(now external space only)

Residential Parking and Design SPD 2010

Dark Skies SPD 2014

Fibre to the Premises SPD 2020

Landscape Character SPD 2011

Government Advice

National Planning Policy Framework (NPPF) 2021

- 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 11 – Presumption in favour of sustainable development.

- Paragraph 47 – Determination in accordance with the development plan.

- Paragraph 59-76 – Delivering a sufficient supply of homes.
- Paragraphs 91-95 – Promoting healthy and safe communities.
- Paragraphs 102-107 – Promoting sustainable transport.
- Paragraphs 117-121 – Making effective use of land.
- Paragraphs 124-132 – Achieving well-designed places.
- Paragraphs 148-165 – Meeting the challenge of climate change and flooding.
- Paragraphs 178-183 – Ground conditions and pollution

National Planning Policy Guidance (NPPG)

Technical housing standards – nationally described space standards

12. **Assessment**

13. The main issues for consideration are:

- a) Principle of Development and Visual Impact
- b) Residential Amenity
- c) Highway Safety and Impact upon the Local highway network
- d) Ecology
- e) 5 Year Housing Land Supply

Principle and Visual Amenity

14. Falling within the built-up confines of Appledore Heath the proposal is considered acceptable in principle. Appledore Heath is listed under policy HOU3a of the Local Plan 2030 as a settlement suitable for new residential development provided, it complies with the following criteria
- i. It is of a layout, design and appearance that is appropriate to and is compatible with the character and density of the surrounding area;
 - ii. It would not create a significant adverse impact on the amenity of existing residents;
 - iii. It would not result in significant harm to or the loss of, public or private land that contributes positively to the local character of the area (including residential gardens);
 - iv. It would not result in significant harm to the landscape, heritage assets or biodiversity interests;

- v. It is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network;
 - vi. It does not need substantial infrastructure or other facilities to support it, or otherwise proposes measures to improve or upgrade such infrastructure;
 - vii. It is capable of having safe lighting and pedestrian access provided without a significant impact on neighbours or on the integrity of the street scene; and,
 - viii. It would not displace an active use such as employment, leisure or community facility, unless meeting the requirements of other policies in this Plan.
15. This is consistent with the NPPF and development plan policy SP6 which require development proposals to be of high-quality design and demonstrate careful consideration of and a positive response to character, distinctiveness and sense of place.
16. The layout of the proposed development has been designed to reflect the established pattern and grain of development which is largely characterised by two-storey terraced dwellings, evenly spaced with a regular building line, fronting the road with private gardens to the rear.
17. A well-proportioned building, the development would sit comfortably on the site and would respond positively to its context. Set back from the main road, the proposed building would not appear visually prominent or intrusive and has been designed to reflect the traditional building styles that characterise the street and surrounding area. The muted palette of conventional materials (grey roof tile, red brick and dark beige window frames) is acceptable and would complement and blend in with the surrounding built form. Centrally placed within the site the development ensures that views of the field and countryside to the east remain, maintaining a sense of space and openness.
18. On balance no significant or unacceptable harm to the street scene or surrounding area would be caused and the proposal complies with both policies HOU3a and SP6 in respect of visual impact. Subject to being acceptable matters which are assessed below, the proposal is acceptable in principle

Residential Amenity

19. In consideration of the amenity of the future occupiers, the proposed flats, would comply with the relevant space standards for external and internal amenity space.
20. No windows are proposed within the development which would cause unacceptable overlooking and given the orientation of the building, and spacing between nos. 10 and 13 Heathside, it is not considered that the proposed development would be overbearing.

21. On balance, no significant or unacceptable harm to the residential amenity of the adjacent neighbouring dwellings results from this development.

Highway Safety & Parking

22. Objections over the issue of parking have been raised by both the parish council and neighbours.
23. It is a requirement under policy TRA3a that proposals seeking the provision of one-bedroom, two-bed space dwellings should secure the provision of one off-road parking space per dwelling. One parking space per dwelling is proposed to be provided. The proposal is thus policy compliant in this regard.
24. One additional, dedicated space for 10 Heathside is proposed; increasing the total number of spaces for this property to two. Additionally, five visitor spaces /spaces for existing residents of Heathside are to be formalised on Heathside. Formalising this existing parking space in the street significantly improves the current situation, resulting in a net increase in residents' parking. Given the size of the units proposed, the proposal is unlikely to generate significant demand for parking, over and above that which is proposed
25. The proposed layout, with an access looping round, allows vehicles to enter and exit in forward gear which is acceptable. A refuse collection point is proposed in close proximity to Heathside and each property has its own refuse storage area. One bicycle space is shown for each property. On balance, the development is considered acceptable on the matter of parking and highway safety.

Ecology

26. A Preliminary Ecological appraisal has been submitted in support of the application and concludes that the site is of limited ecological value and that no further surveys and/or mitigation is required. The Biodiversity Officer at KCC has been consulted and is satisfied that sufficient ecological information has been submitted
27. The site is dominated by amenity grassland with scrub and scattered trees. The habitats found are common and widespread and are considered to be of limited botanical/habitat diversity. It is recommended that any future development plans should incorporate opportunities to enhance the biodiversity of the site, with landscaping plans incorporating a range of native herbaceous and shrub species which will benefit species such as bees, butterflies, moths, bats and birds. This could be sought as a condition of planning approval.
28. On balance in light of the information submitted, no significant or unacceptable ecological harm would result from this proposal subject to conditions regarding ecological enhancements.

5 Year Housing Land Supply

29. The Council can currently demonstrate a 4.54 year supply of housing land. Given that a five year supply of housing land cannot be demonstrated, Paragraph 11 part d of the NPPF (2019) is engaged. This states that for decision taking, planning permission should be granted unless: “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”
30. In my view, the proposal is consistent with the policy requirements in the Local Plan 2030 and would deliver sustainable development. In line with Paragraph 11 of the NPPF (2019) the proposal should therefore be permitted

Human Rights Issues

1. 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

2. 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

2. In conclusion, the development plan allows for infill development within the built confines of Appledore Heath. This site lies within the built confines and it is considered that the proposed development by virtue of its scale, design, height, form, and materials would not be out of character or cramped in the context of the existing development on Heathside.
3. No unacceptable harm to residential amenity would result from this proposal and the development is acceptable in terms of highway safety and impact upon ecology. The development makes a small contribution to the Council’s 5 year housing land supply which factors in windfall sites such as this making an important contribution.

4. With no significant or unacceptable harm identified and no matters raising an overriding objection to the grant of permission, the proposal is considered acceptable and it is therefore recommended that the application is approved subject to conditions.

Recommendation

Permit

Subject to the following Conditions and Notes:

(with delegated authority to the Strategic Development and Delivery Manager or Planning Applications and Building Control Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)

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 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

3. No development shall take place on site until a Transport Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period and shall include:

- a) parking for vehicles of site personnel, operatives and visitors;
- b) wheel washing facilities

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and neighbour amenity.

4. The development shall be carried out in accordance with the details of external materials specified in the application.

Reason: In the interests of visual amenity.

5. A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby approved. Thereafter the approved landscaping/tree planting scheme shall be carried out fully within 12 months

of the completion of the development. 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

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

6. Prior to the first occupation of the dwellings a lighting design plan for biodiversity shall be submitted to, and approved in writing by, the local planning authority. The proposed plan shall show the type and locations of external lighting, demonstrating that areas to be lit will not disturb bat activity. All external lighting shall be installed in accordance with the specifications and locations set out in the approved plan and will be maintained thereafter.

Reason: To protect the existing populations of the protected species

7. Prior to completion of the development a scheme for the enhancement biodiversity shall be submitted to and approved in writing by, the local planning authority. The approved scheme shall include a native species-only landscape scheme and shall be implemented in full and retained thereafter

Reason: To enhance biodiversity and the ecological value of the site and surrounding area

8. Prior to the first occupation of the dwellings, each dwelling shall be provided with at least one electric vehicle charging point. All Electric Vehicle charger points shall be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). The charging point shall thereafter be retained and available, in working order for the charging of electric vehicles. Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved charge point model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-schemeapproved-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 the incorporation of facilities for charging plug-in vehicles.

9. The areas shown on drawing number 1897 - 110B as vehicle parking space and turning shall be retained for the use of the occupiers of the flats, visitors to the development, and existing residents of Heathside, , 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 this reserved parking space.

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

10. The area shown on the drawing number 1897 - 110B as covered and secure bicycle storage space shall be retained for the use of the occupiers of the flats, 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 access to this reserved bicycle storage space.

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

11. No construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents.

12. 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

- 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 22/00567/AS)

Contact Officer: Laura Payne
Email: Laura.Payne@ashford.gov.uk
Telephone: (01233) 330738