

<b>Application Number</b>	PA/2023/0714
<b>Location</b>	Court Wurtin, Beaver Lane, Ashford, Kent, TN23 5NH
<b>Grid Reference</b>	Easting (x) 600308 / Northing (y) 141279
<b>Parish Council</b>	Central Ashford
<b>Ward</b>	Beaver
<b>Application Description</b>	Provision of 1 no. residential/commercial waste and storage compounds; refurbishment of the stairwell to include new roof structure, render, and cladding, provided gated residential area. Proposed works to residential properties 24-30 to include PV panels, rendering, and changes to fenestration
<b>Applicant</b>	Mrs Sharon Williams, Ashford Borough Council
<b>Agent</b>	Mr Colin Benton, Ashford Borough Council
<b>Site Area</b>	0.2935 Hectares

## Introduction

1. This application is reported to the Planning Committee because the applicant is Ashford Borough Council (ABC).
2. The application was deferred from the Planning Committee held on 5<sup>th</sup> July.

## Site and Surroundings

3. The application site comprises the northern part of Court Wurtin, a three-storey 1960s residential / commercial block, which is located to the south of Beaver Lane in the Beaver Ward of Ashford. The building comprises a local retail centre with commercial units on the ground floor and flats on the first and second floors.
4. The immediate area is predominately residential in nature, with a mix of semi-detached and terraced houses and low rise blocks of flats surrounding the site. The application site is not subject to any landscape restrictions according to the Development Plan.

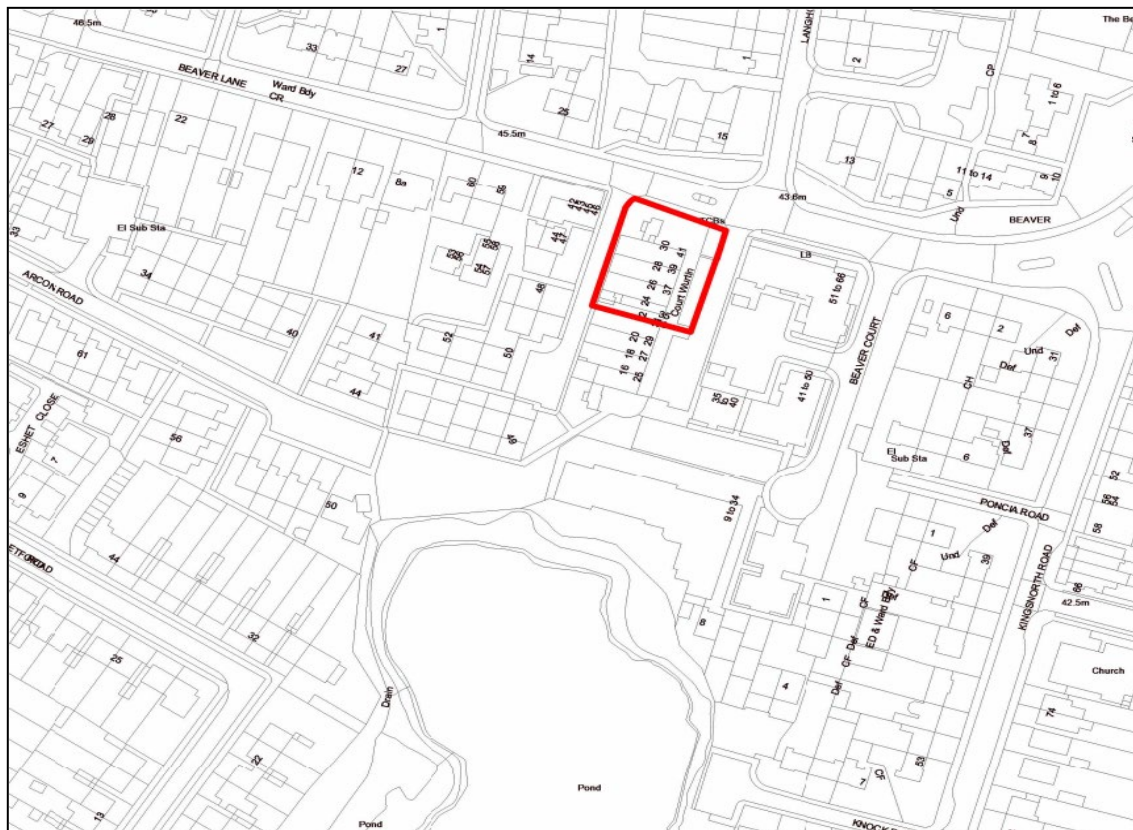


Figure 1 Site Location

## Proposal

5. Planning permission is sought for
  - Provision of residential / commercial waste and storage compound(s);
  - Refurbishment of the existing stairwell to include new roof structure, render, and cladding;
  - Provision of a gated residential area to the front of the stairwell; and
  - Works to residential properties 24-30 to include removal of canopy, the insertion of PV panels, rendering, and changes to fenestrations.
6. The materials proposed to clad the stairwell would be cedar timber slats approximately 38x68mm timber. No lacquer or paint finish is proposed to allow timber to discolour naturally. A galvanised steel frame is proposed to enclose the front and rear elevations of the stairwell.
7. The proposed storage compound(s) would be enclosed by a 2.7m high fence comprising ash timber slats fitted vertically to steel framed posts and horizontal rails. The said compound would be accessed via the rear access way to the west of the site and from within the stairwell. Immediately to the

north of the said storage compound the applicant is proposing an area of landscaping.

- The replacement windows would be white PVCu double-glazed units, in order to match existing windows at the site. The applicant has also proposed a grey render finish on the facades of the flats in question.

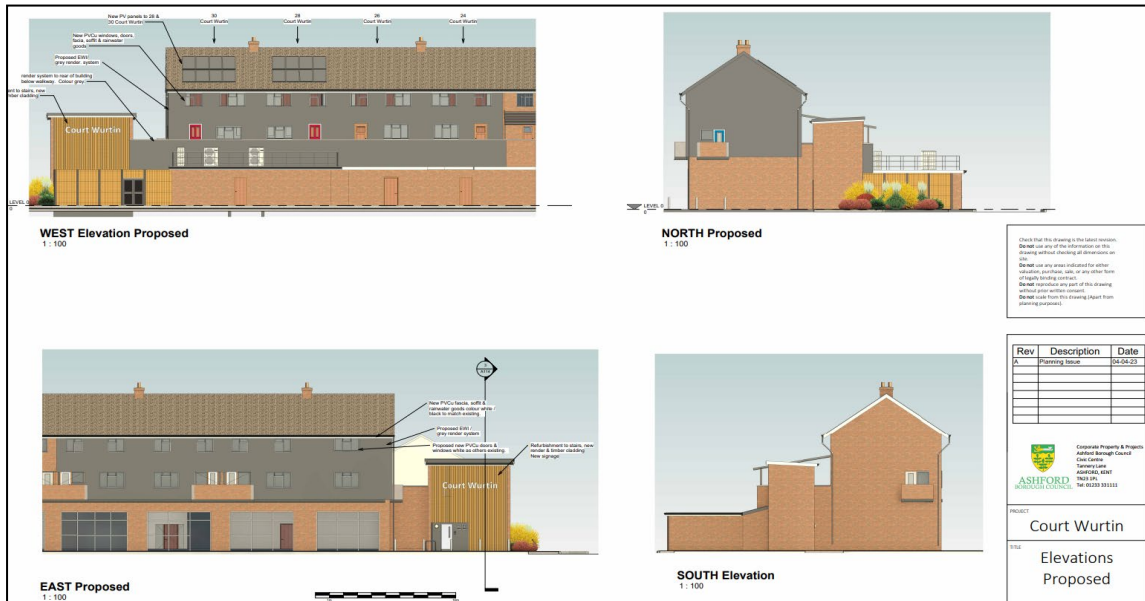


Figure 2: Proposed Elevations

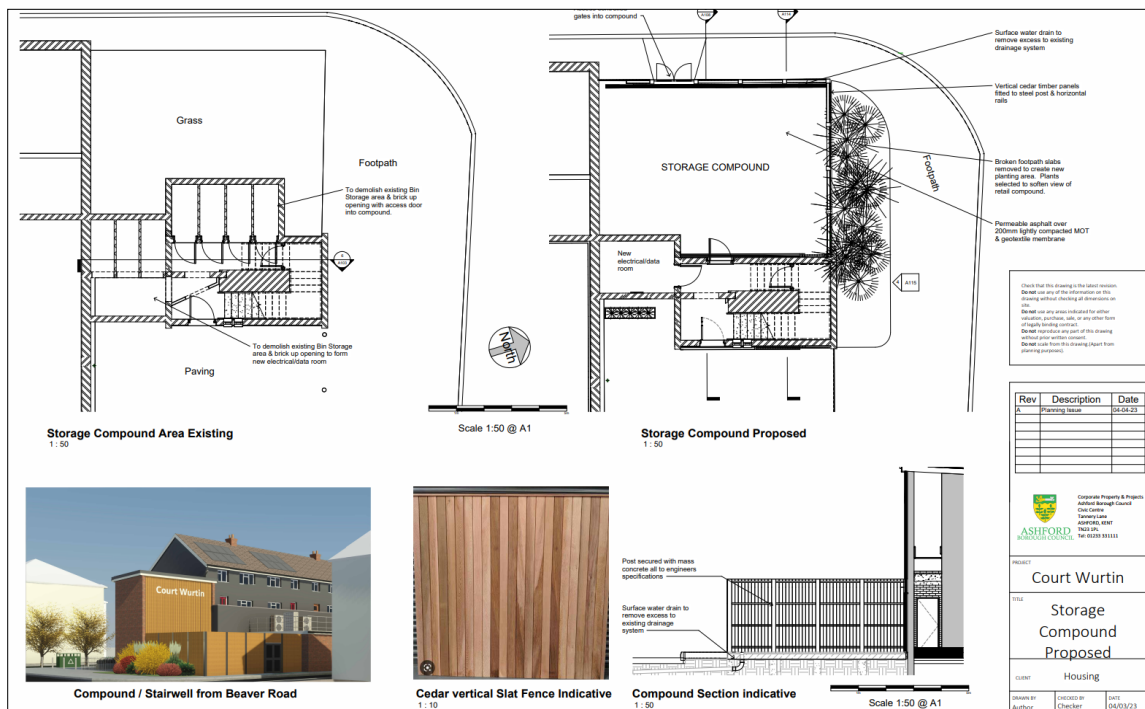


Figure 3: Proposed Waste Storage Compound

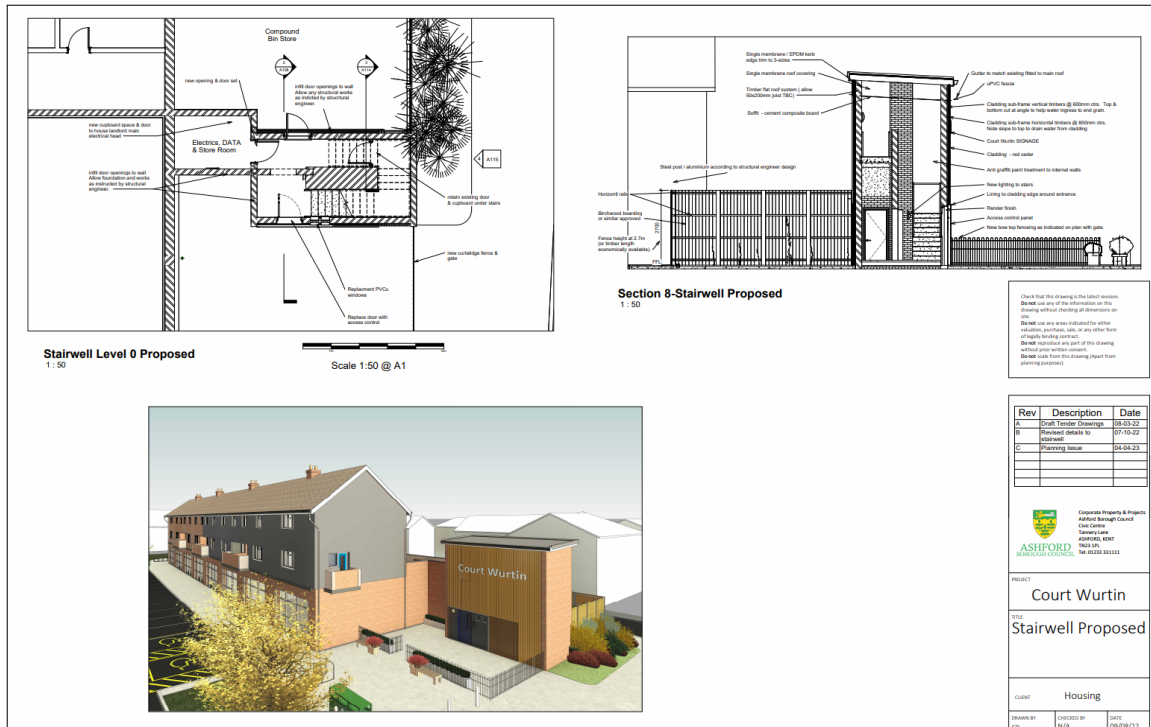


Figure 4: Stairwell Proposed

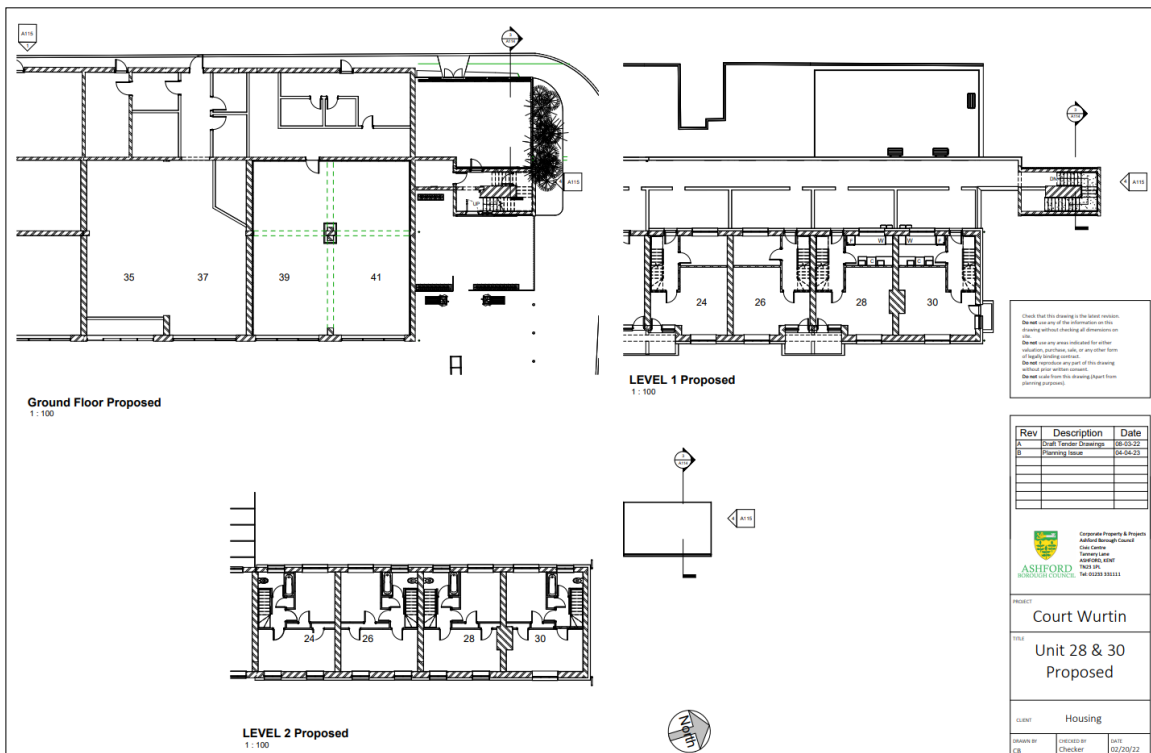


Figure 5: Proposed Floor Plans

## Planning History

9. No Relevant Planning History.

## Consultations

9. The application has been subject to formal statutory and non-statutory consultation.
10. **Environmental Services** – Makes the following comment
  - To eliminate any cross-contamination between commercial and residual household domestic waste, separate storage areas need to be provided.
  - The separate storage area for the domestic household waste needs to provide enough capacity for 1 x 1100 litre refuse bin and 1 x 1100 litre recycling bin, plus 1 x 180 litre food caddy.
  - The door should be fitted with an FB1/2 lock.
  - Pull out on the bins to where the RCV can pass should not exceed 10m and should have a smooth pull out to the road with a drop-down kerb in place where necessary.
12. **Neighbours** - 73 neighbours were consulted in relation to the proposed works and no letters of objection were received.

## Planning Policy

13. The Development Plan for Ashford borough comprises the Ashford Local Plan 2030 (adopted February 2019), along with the Chilmington Green Area Action Plan (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), Charing Neighbourhood Plan 2023 and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
14. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
15. The relevant policies from the Development Plan relating to this application are as follows:-  
  
SP1 – Strategic Objectives

SP6 – Promoting High Quality Design  
ENV3a - Landscape Character and Design  
ENV4 – Light Pollution and Promoting Dark Skies  
ENV10 – Renewable and Low Carbon Energy

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

### **Supplementary Planning Guidance/Documents**

Landscape Character SPD 2011  
Climate Change Guidance for Development Management

### **Government Advice**

#### National Planning Policy Framework (NPPF) 2019

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
- 12. Achieving well-designed places
- 14. Climate change

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

## **Assessment**

17. The main issues for consideration are:
- Principle of Development & Visual Amenity
  - Residential Amenity
  - Highway Safety

### **Principle & Visual Amenity**

18. The site is located within the Ashford urban area and the principle of new development is accepted subject to complying with the relevant policies of the Local Plan.
19. Court Wurtin is a three storey 1960s residential / commercial block that is considered to be somewhat stark, domineering and visually intrusive within the locality, especially as the existing fenestration and stairwell have become neglected and are becoming dilapidated and detract from the character of the building and area.
20. The proposed cladding materials and new roof on the stairwell, in combination with the proposed new replacement fenestration and new street furniture would constitute a significant visual improvement and would enhance and rejuvenate the character and appearance of the building and its surroundings. Likewise, the proposed storage compound is well-designed and located and would assimilate well with the character and form of the host building. The area of soft landscaping to the north of the stairwell and storage compound would help soften the appearance of the said storage compound and improve the appearance of the street scene. Such landscaping details should be agreed by way of a condition. Lastly, the removal of part of the first floor canopy on the western elevation of the building would also be visually acceptable in this instance. Overall, it is considered that the said works would improve the appearance of the building and not cause any visual harm to the area.
21. In order to improve the energy efficiency of the flats owned by ABC, the Council are proposing to add a form of cladding with a render finish to the exterior facades of the building. As ABC do not own the entire building, this would result in part of the building being clad and the other half remaining at present, finished in brickwork. The proposed juxtaposition of grey render with the existing brickwork would likely appear somewhat awkward. However, the applicant has agreed to amend the colour of the render to make the transition of materials more harmonious. The exact details of the said materials / finishes will be agreed by way of condition.
22. With regard to the proposed solar panels there is a Government commitment to the use of renewable forms of energy and this is reflected in the NPPF,

which advises that even small-scale projects provide a valuable contribution to cutting greenhouse emissions. Solar PV panels are likely to have the least visual effect of all renewable technologies.

23. The proposed solar array would be on the western elevation. Given the surrounding built form and the orientation of the building to the road the proposed solar array would not appear prominent or intrusive and would assimilate with the site's surroundings. No significant or unacceptable harm to the surrounding street scene would be caused as a result of the solar array.

### **Residential Amenity**

24. Given the minor scale of the development works proposed, it is not considered that any harm to residential amenity would be caused by this proposal.

### **Highway Safety**

25. The proposed works would not create any further parking demand at the site and would not displace any existing parking provision within the site. The proposed small enclosed residential area to the front of the stairwell, and the area of soft landscaping proposed, and the storage compound(s) to the rear of the stairwell, would not detrimentally impact upon the functionality of the pavements and footpaths in the area either. Consequently, no harm to highway safety would result from this proposal.

### **Human Rights Issues**

26. 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).

### **Conclusion**

27. To conclude given the limited impact the proposal would have on the form of the building and the street scene, the proposal is considered acceptable and in accordance with the provisions of the Development Plan as a whole. With no overriding matters which would otherwise indicate a refusal, I recommend that the application is approved subject to conditions.



## Recommendation

### Permit

- A** With delegated authority to the Planning Applications and Building Control Manager or the Strategic Development and Delivery Manager to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto; and,
- B** Subject to planning conditions and notes, including those dealing with the subject matters identified below, (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.

### Conditions

1. 3-year standard condition
2. Compliance with Approved Plans
3. Materials as approved / details of rendering to approved
4. Landscaping
5. Details of refuse collection for commercial and residential elements

### Notes to Applicant

- Working with the Applicant

### Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council website ([www.ashford.gov.uk](http://www.ashford.gov.uk)). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application PA/2023/0174)

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