

Application Number	PA/2023/134
Location	Cotton Hill House, Ruckinge Road, Hamstreet, TN26 2HW
Grid Reference	Easting 600372, Northing 133392
Parish Council	Orlestone Parish Council
Ward	Weald South Ward
Application Description	Garden decking, balustrade, and steps
Applicant	Mrs Williams
Agent	Mr Thomas
Site Area	0.33 hectares

Introduction

1. This is an application for the installation of garden decking with balustrade and steps at Cotton Hill House, Hamstreet. The application is reported to the Planning Committee because it is submitted by Ashford Borough Council.

Site and Surroundings

2. The application site, which is located within the built confines of Hamstreet, comprises Cotton Hill House, a housing unit which forms part of Ashford Borough Council's Independent Living Schemes. In addition to the housing units, the site comprises of a large pond and communal gardens.
3. Whilst not directly within Hamstreet Conservation Area, the conservation area boundary lies directly adjacent to the application site, to the north-west. The site is, however, within the Low Weald Landscape Character Area.



Figure 1: Site Location Plan

Proposal

4. Planning permission is sought for the proposed installation of timber garden decking with balustrade and steps. The decking would be accessed from the communal lounge and would overlook the pond.

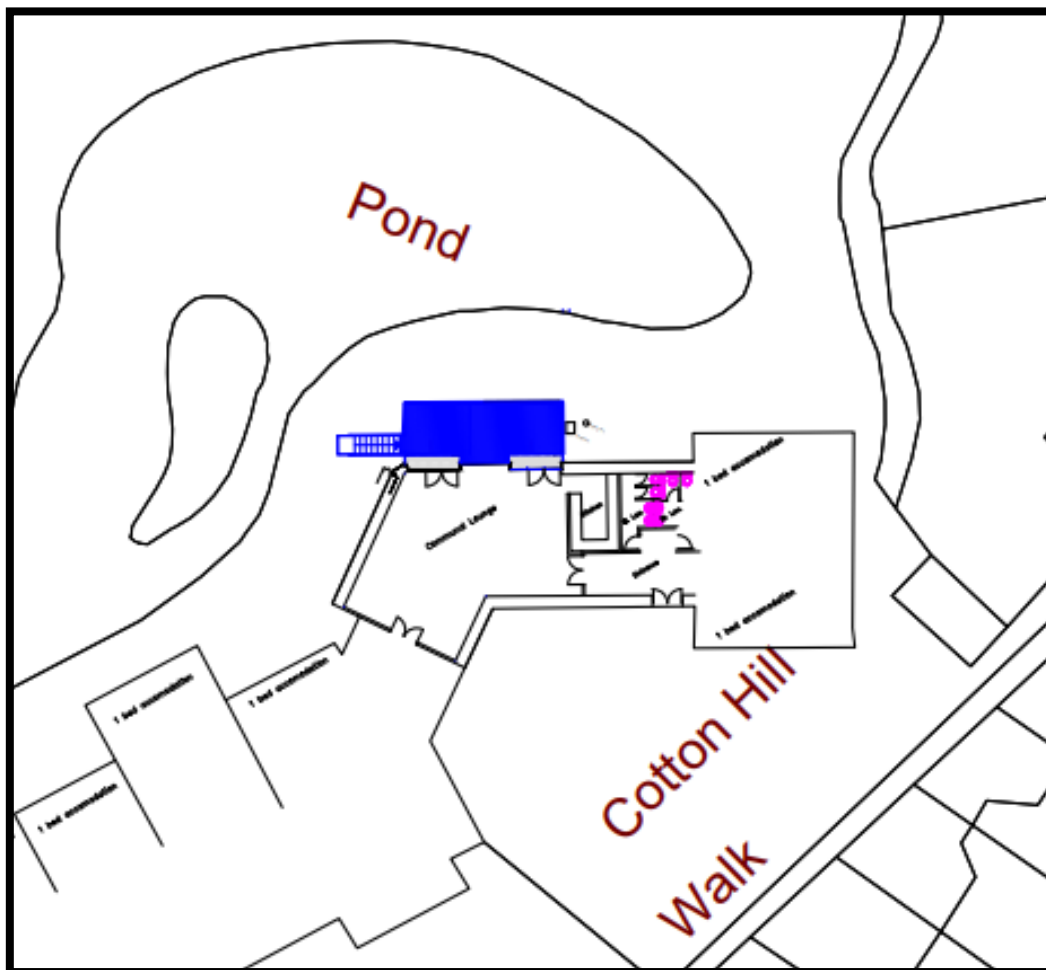


Figure 2: Proposed Block Plan

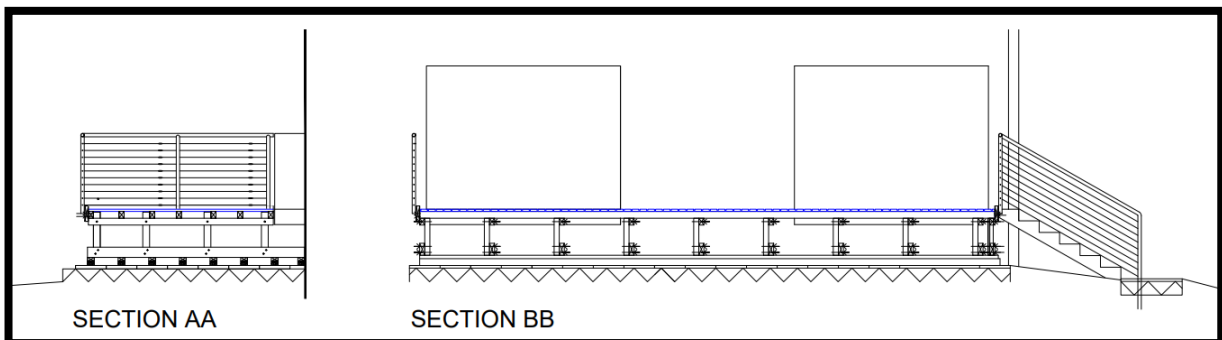
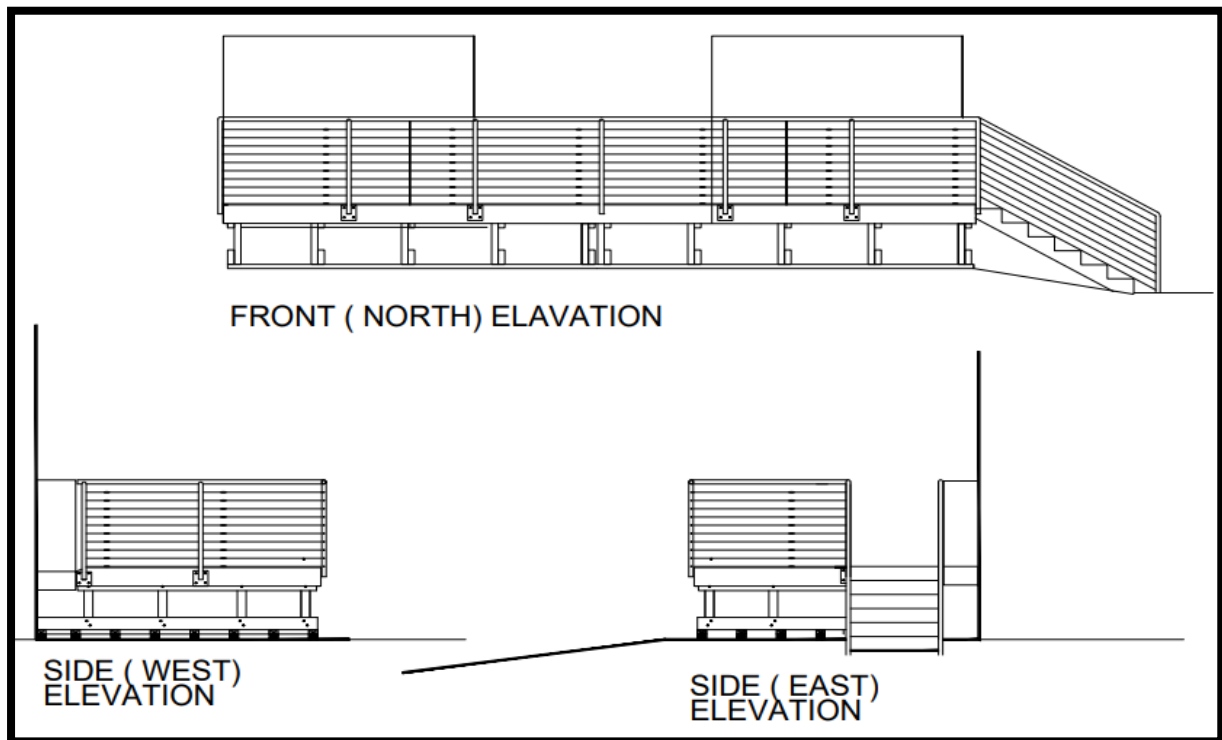


Figure 3: Proposed Elevations

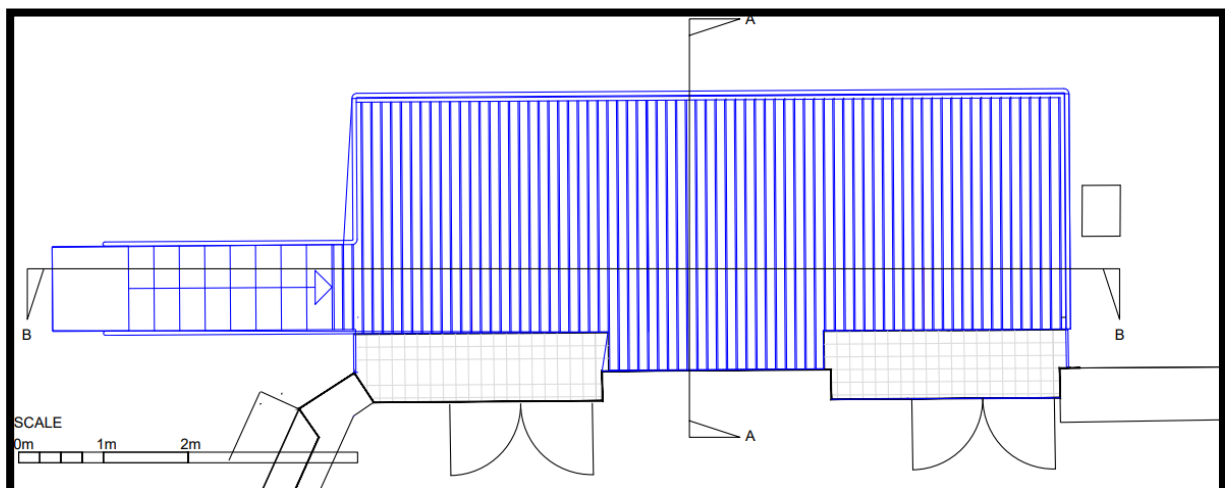


Figure 4: Proposed Sections

Figure 5: Proposed Floor Plan

Planning History

5. There is no relevant planning history for the site.

Consultations

Ward Member(s): No comments received.

35 Neighbours: No comments received.

Planning Policy

6. The Development Plan for Ashford Borough 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), the 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).

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

Ashford Local Plan 2030 (adopted February 2019)

SP1 - Strategic Objectives,

SP6 - Promoting High Quality Design,

ENV1 – Biodiversity

ENV14 – Conservation Areas

COM1 – Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Spaces

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

Supplementary Planning Guidance/Documents:

Landscape Character Assessment SPD 2011

Public Green Spaces and Water Environment SPD 2012

Village Design Statements:

Hamstreet Village Design Statement

Government Advice:

National Planning Policy Framework (NPPF) 2021

National Planning Policy Guidance (NPPG)

9. 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.

Assessment

10. The main issues for consideration are:

- Principle of development
- Visual Amenity
- Residential Amenity
- Highway Safety
- Ecology

Principle of development

11. The proposed development would give level access to outside space overlooking the pond, which is expected to significantly improve quality of life for those living and visiting the community facility. Regard must therefore be had for policies COM1 which states that *the provision of good quality community infrastructure and services designed around people and their cultural, leisure, health, learning, social and wellbeing needs is fundamental to the creation of strong, vibrant, healthy and sustainable communities*. In addition, Policy COM2, which explains that *recreation, sport, open space and play areas can enrich the quality of our lives and contribute towards healthy living* must also be accounted for. Given the justification outlined within the submitted design & access statement, to provide community facilities, the principle of the development is considered acceptable.

Visual Amenity

12. The proposed decking and associated balustrade and steps would be located to the western boundary of the site and would overlook the pond that fronts

Ruckinge Road. Whilst the surrounding mature trees and shrubbery would offer some shielding, the development would be visible from Ruckinge Road and the communal green space to the west of the site. Whilst, therefore, the decking would have a visual prominence, owing to its minor scale and utilisation of natural materials (timber), it is not considered that the development would appear out of place, nor would it appear incongruous when read in conjunction with its wider surroundings. On balance, it is considered that the proposal would have a low visual prominence and would be harmonious with the wider landscape so as not to cause unacceptable levels of visual harm. Therefore, owing to its appropriate design and materials palette, it is considered that the proposed development would comply with Policy SP6 in terms of visual amenity and design.

Residential Amenity

13. Given the nature of the proposed development, it is not considered that it would be detrimental to the living conditions of neighbouring residents. It is therefore not considered that the proposal would amount to any unacceptable overlooking, loss of privacy or loss of light, nor would it amount to the creation of an overbearing development that created a sense of enclosure.

Highway Safety

14. The potential for harm to the highway safety of the site as a result of the proposed development was considered, however, owing to the nature of the proposed development, it is not considered that it would amount to harm to the highway safety of the site, or the surrounding road network.

Biodiversity & Ecology

15. The application site is recognised to have ecological potential and, consequently, KCC Ecology were consulted on this proposal. Owing to the minor nature of the proposed development and the manicured condition of the garden area in which the proposed decking would be sited, it is considered that the development is unlikely to impact on the nearby designated site and protected species. As such, it was concluded that there would be no requirement for any ecological surveys to be carried out. Furthermore, owing to the minor scale of the proposal, it was not considered appropriate to impose any planning conditions to secure biodiversity details. Notwithstanding this, an informative, as recommended by the service, would be included on any grant of permission.

Human Rights Issues

16. 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

17. 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

18. In light of the above assessment, the proposed development is compliant with the relevant policies of the Ashford Local Plan 2030 and Central Government guidance. With no overriding harm identified, it is therefore recommended that the application is approved, subject to conditions.

Recommendation

Permit

Subject to the following Conditions and Notes:

1. Standard 3-year condition
2. Approved plans condition
3. Approved materials condition
4. No external lighting

Informatives

1. Working with the Applicant
2. KCC Ecology

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 //AS)

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