

Application Number	PA/2024/0340
Location	Bennetts, 56 The Street, Appledore, TN26 2AE
Grid Reference	95593 / 29517
Parish Council	Appledore
Ward	Isle of Oxney
Application Description	External soil stack on the north elevation
Applicant	Mrs Elizabeth Mitchell
Agent	N/A
Site Area	0.4 ha

Introduction

1. This application is reported to the Planning Committee because the applicant is a member of staff of Ashford Borough Council.

Site and Surroundings

2. The application site comprises a Grade II listed property within the Appledore Conservation Area. The site is on the western side of The Street with the former Methodist Church as the neighbour to the south. The access, garage and parking associated with the dwelling are located to the south of the property. The neighbour to the north is a new-build detached property granted planning permission in 2010.
3. The property was extended by virtue of a planning permission and a listed building consent granted in 1991 to provide the extended kitchen and upper floor bedroom.

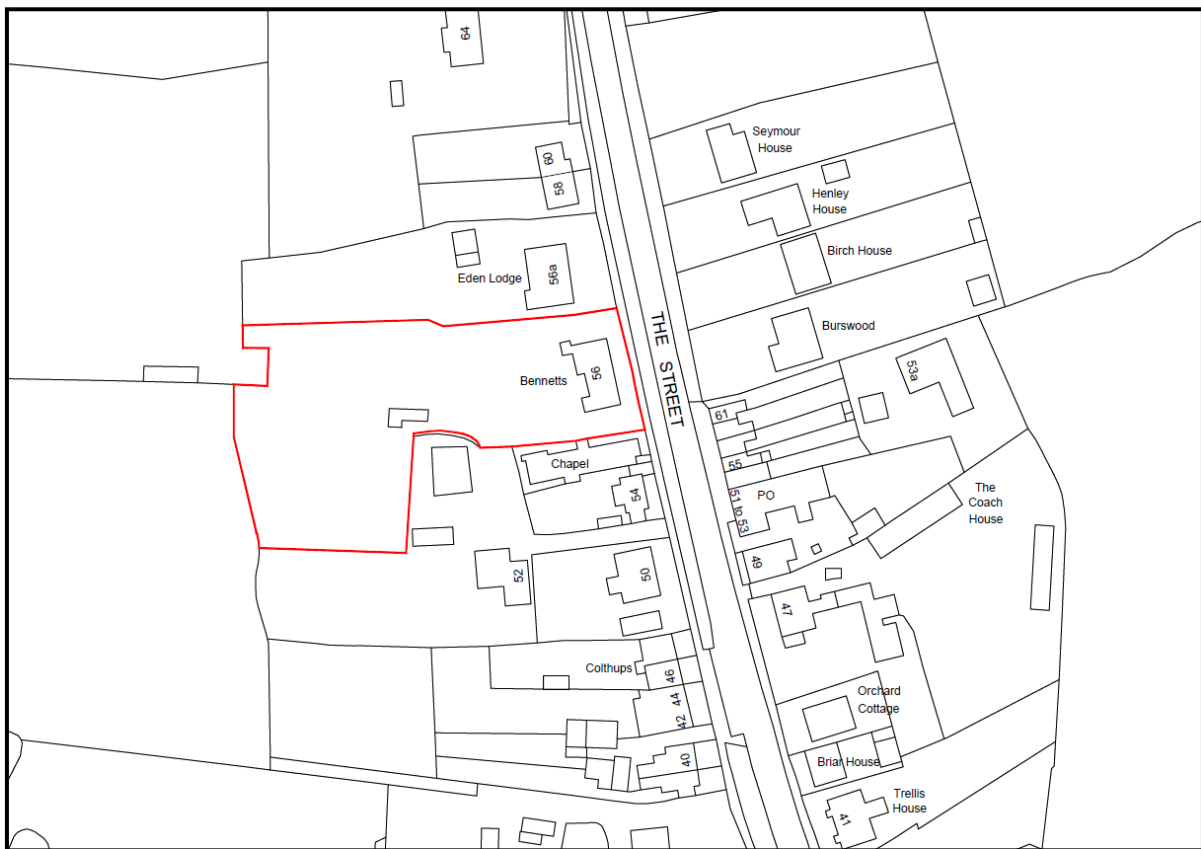


Figure 1 Site Location Plan

Proposal

4. Planning permission is sought for the installation of a soil stack on the northern elevation of the property. The said soil stack would be used in association with the proposed en-suite bathroom to the upper floor bedroom. Listed building consent is also for consideration under application reference PA/2024/0356 for the proposed soil stack, extraction fan and the internal alterations comprising the installation of a partition wall and associated works to provide the en-suite bathroom, all of which would relate to the modern extension(s) to the property.

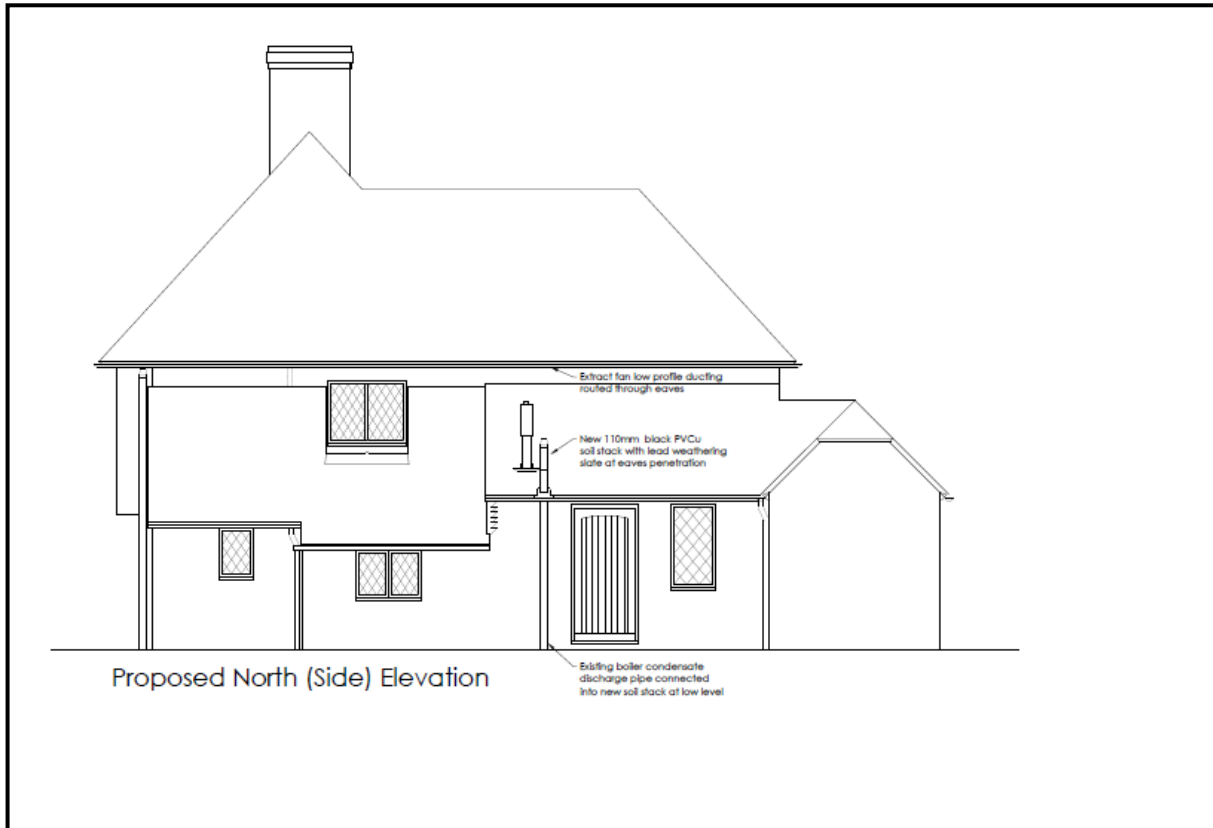


Figure 2 Proposed North Elevation

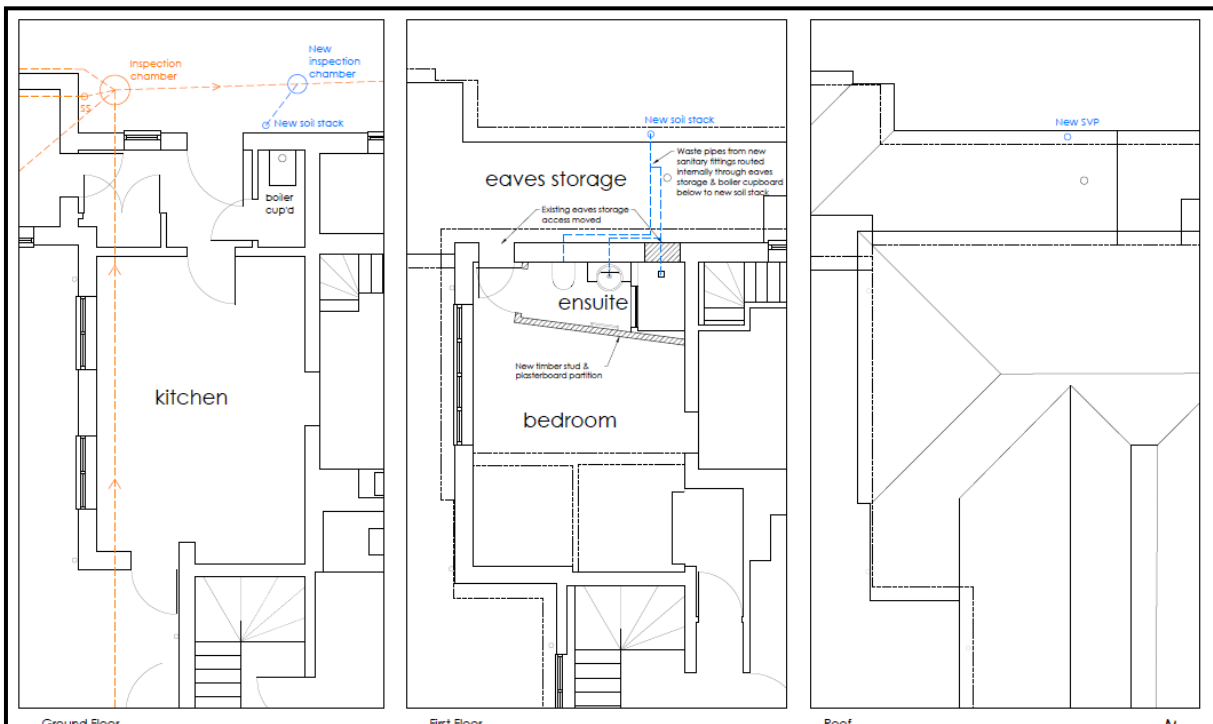


Figure 2 Proposed Floor Plans

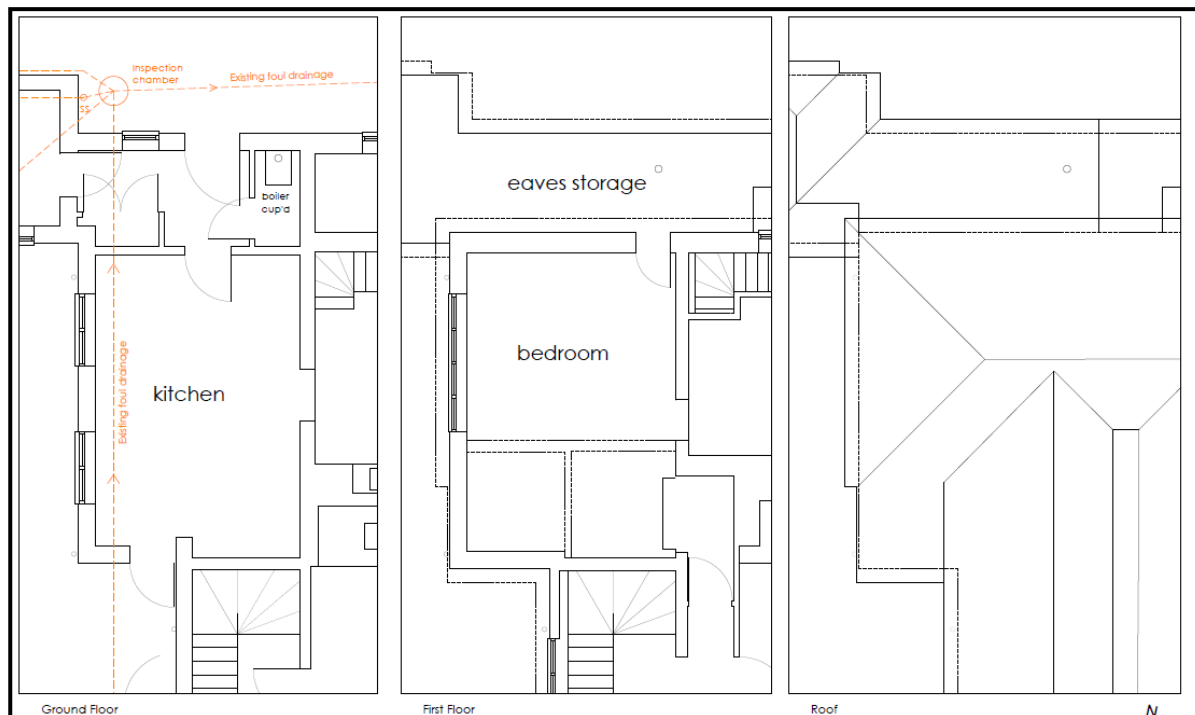


Figure 3 Existing Floor Plans

Planning History

5. The following planning history is relevant to the application;-
- 91/01335/AS - Extension and alterations – planning permission granted 19/11/1991.
 - 91/01336/AS - Extension and alterations – listed building consent granted 19/11/1991.
 - 21/01592/AS - Erection of 2-bay garage with log store; erection of greenhouse; erection of a gazebo – planning permission granted 18/11/2021.

Consultations

6. **Ward Member(s):** no comment received.
7. **Appledore Parish Council:** no response received.
8. **Neighbours:** 5 neighbours consulted, as well as a press advert placed and a site notice put up. No letters of representation received.

Planning Policy

9. The Development Plan for Ashford Borough comprises:-
- (i) the Ashford Local Plan 2030 (adopted February 2019),
 - (ii) the Chilmington Green AAP (adopted July 2013),
 - (iii) the Wye Neighbourhood Plan (adopted March 2016),
 - (iv) the Pluckley Neighbourhood Plan (adopted April 2017),
 - (v) the Rolvenden Neighbourhood Plan (adopted December 2019),
 - (vi) the Boughton Aluph & Eastwell Neighbourhood Plan (adopted October 2021),
 - (vii) the Egerton Neighbourhood Plan (adopted March 2022),
 - (viii) the Charing Neighbourhood Plan (adopted July 2023),
 - (ix) the Kent Minerals and Waste Local Plan (2016) & the Kent Minerals and Waste Early Partial Review (2020).
10. Although not yet part of the Development Plan, the following emerging Neighbourhood Plans are a material consideration:
- (i) Tenterden Neighbourhood Plan currently at Examination,
 - (ii) Pluckley Neighbourhood Plan Review currently at Examination,
 - (iii) Aldington & Bonnington Neighbourhood Plan currently at Examination.
11. The relevant policies from the Development Plan relating to this application are as follows:-
- SP1 – Strategic Objectives
- SP6 – Promoting High Quality Design
- ENV13 - Conservation and Enhancement of Heritage Assets
- ENV14 – Conservation Areas

Government Advice

National Planning Policy Framework (NPPF) 2023

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 National Planning Policy Framework (NPPF) was introduced in March 2012 and last updated in 2023. 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 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:

1. Decision-making
2. Achieving well-designed places

National Planning Policy Guidance (NPPG)

Assessment

12. The key areas for consideration in the assessment of this application are:
 - Visual Amenity/Heritage
 - Residential Amenity
 - Highway Safety

Visual Amenity/Heritage

13. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for any works which affects a listed building or its setting, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
14. The location of the proposed soil stack would be to the northern elevation within the fenced side garden area. The stack itself would be 0.77m taller than the single storey eaves level of the associated existing extension roof and would sit on the lower part of the said roof, below the existing boiler flue. As such the soil stack would not be visible from outside the wider site. Given the very limited addition to the property by way of the small soil stack, the development would not be visually harmful to the character of the surrounding conservation area, nor harmful to the character, appearance and significance of the listed building.
15. I would highlight that a condition has been imposed via the listed building consent application for materials to be agreed in terms of the soil stack. This

would ensure the appearance of the soil stack would respect the character and appearance of the listed building and wider conservation area.

16. In light of the above, the development would result in less than substantial harm to the heritage assets, where any such harm would be outweighed by the social benefit through providing suitable and improved accommodation.

Residential Amenity

17. Given the limited scale and height of the proposed soil stack and degree of separation from adjoining neighbours to the north, I do not believe that there would be any detrimental impact caused to residential amenity as a result of the development.

Highway Safety

18. The development does not require the benefit of further parking provision. There would be no harm caused to highway safety as a result of the development.

Human Rights Issues

19. I have 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

20. 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

21. The proposed development would represent a sympathetic addition to the listed building which would not detrimentally impact the significance of the listed building or the character and appearance of the conservation area. Furthermore, the proposal would not create any amenity or parking issues. Therefore, the proposal complies with the requirements of Development Plan

policy and Central Government guidance and I recommend that planning permission is granted subject to the conditions listed.

Recommendation

Permit

Subject to the following Conditions and Notes:

(with delegated authority to the Strategic Development and Delivery Manager or Development Management 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. 3-year standard condition
2. Approved plans

Note to applicant:

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.

In this instance 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 website (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 PA/2024/0340)

Ashford Borough Council - Report of the Head of Planning and Development
Planning Committee 17th April 2024

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