

Application Number	19/00065/AS
Location	1 to 12 and 20 to 23 Priory Way, Tenterden, Kent, TN30 7BX
Grid Reference	89345/33290
Parish Council	Tenterden
Ward	Tenterden South
Application Description	Replacement of UPVC windows and doors
Applicant	Ashford Borough Council
Agent	N/A
Site Area	0.25 Ha.

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 3 blocks of two storey blocks of flats within a residential area in Tenterden.
3. A site location plan is attached as an annexe to the report.

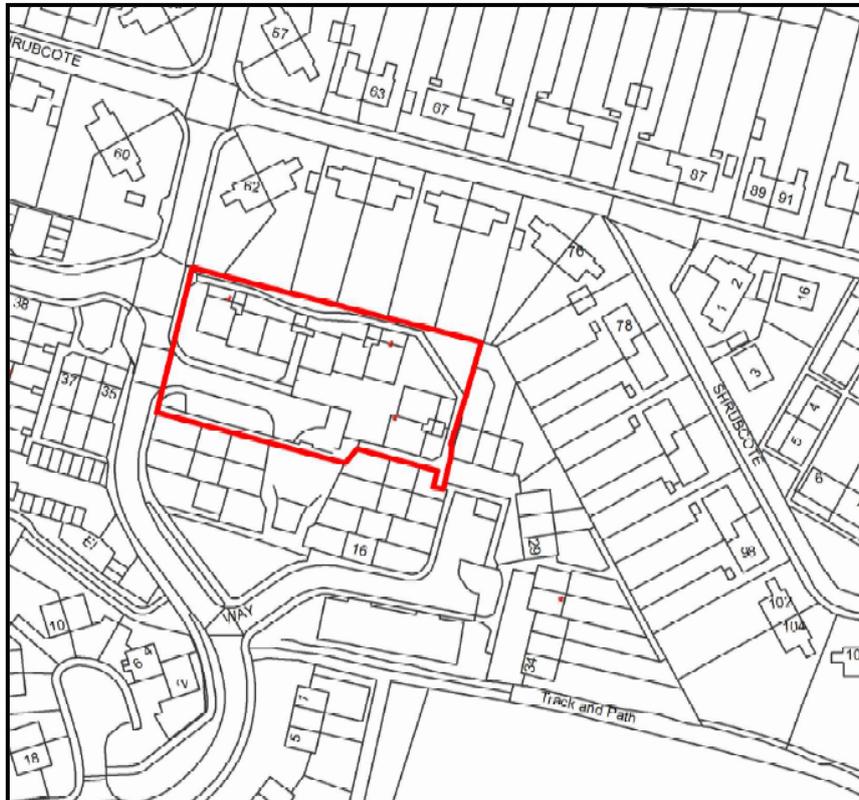


Figure 1 - site location plan

Proposal

4. Full planning permission is sought for replacing the existing UPVC windows and doors with new UPVC windows and doors. Materials and colour will remain the same but fenestration design is proposed to change.
5. The intention of the proposed development is to upgrade the windows and doors for maintenance reasons.
6. It is of note that application 19/00130/AS (Kennington) for identical development is also for consideration. It is also relevant to note that, again, an identical form of development was granted permission in the January committee for a site in Ashford (Godfrey Walk).

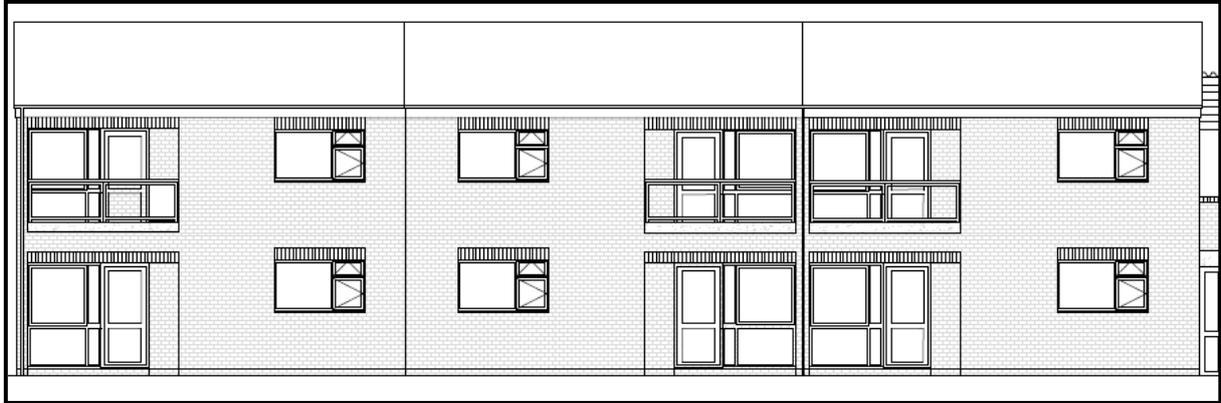


Figure 2 - existing part-elevation

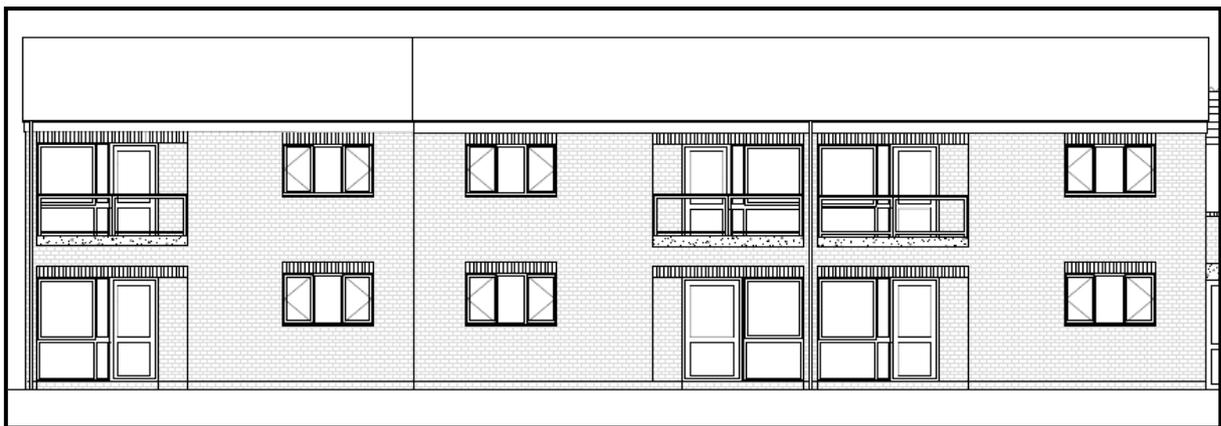


Figure 3 - proposed part-elevation



Figure 4 - site photo

Planning History

7. There is no relevant planning history.

Consultations

Ward Members: No representations received at the time of writing.

Parish Council: No comment received at the time of writing

Neighbours: 16 neighbours consulted; no representations received at the time of writing.

Planning Policy

8. 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.
9. The new Ashford Local Plan to 2030 was submitted for examination in December 2017 and has been found sound by the Local Plan Inspectors in their report (January 2019) subject to a series of modifications. Consequently, in the context of paragraph 48 of the NPPF, prior to its adoption by the Council, the Plan's policies (as recommended to be modified by the Inspectors) should be given very significant weight in decision-making.
10. The relevant policies from the Development Plan relating to this application are as follows:-

Local Development Framework Core Strategy 2008

CS1 - Guiding Principles

CS9 - Design Quality

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

Ashford Local Plan to 2030 (December 2017 as amended by the Inspector's modifications January 2019)

SP1 Strategic Objectives

SP6 Promoting High Quality Design

Government Advice

National Planning Policy Framework (NPPF) 2018

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 48 states in relation to the stages of preparing a Local Plan that:

“Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) 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

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”

Assessment

14. The main issues for consideration are:
 - Visual amenity
 - Residential amenity

Visual amenity

15. The proposed new windows are similar in appearance with a different casement opening. The materials and colour are proposed to remain the same and the new windows and doors will be the same for all buildings. This would result in a coherent appearance for buildings as a group as all windows would be replaced and they would all be of a same design. It is therefore

considered the new windows and balcony doors would not represent an incongruous contrast or be out of character with the context of the site.

16. The new windows and doors will reduce the need for future maintenance issues. On balance, the development would not be visually harmful to the street scene and thus the visual amenity of the locality.

Residential amenity

17. Given the nature of the development proposed, there would be no impact upon the residential amenity of the neighbouring properties.

Human Rights Issues

18. 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

19. 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

20. The objective of the development is to prolong the life of the Council asset as well as reducing future maintenance costs. There would be no harm to the visual or residential amenity and the design is acceptable.
21. For the reasons above, I therefore recommend that the application is approved as it accords with the relevant Development Plan policies as current (and those that will apply following the adoption of the Local Plan 2030) and there are no overriding material considerations to suggest otherwise.

Recommendation

Permit

Subject to the following Conditions and Notes:

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 details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity.

3. 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, unless otherwise agreed by the Local Planning Authority.

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.

4. 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

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

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 19/00065/AS.

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