

Application Number	19/00715/AS	
Location	Land at Homewood School adjoining Fire Station, Ashford Road, Tenterden, Kent	
Grid Reference	588805 134276	
Parish Council	Tenterden	
Ward	Tenterden North	
Application Description	Erection of apartment block containing 7 dwellings with associated parking and amenities.	
Applicant	Churchview Estates	
Agent	Batcheller Monkhouse, 1 London Road, Tunbridge Wells TN1 1DH	
Site Area	0.27 hectares (red line site boundary)	
(a) 17/11/R & 1/X	(b) Parish Council - R	(c) KCC ECO X; KH&T X REFUSE X ESM X KF&R X EA X

Re-consultation following receipt of additional information

(a) 17/2R (b) (c) KH&T X

Introduction

1. This application was deferred by Members at the Planning Committee of 22 January 2020 for the following reasons:
 - **Land ownership along the woodland boundary;**
 - **Is the school access included in the size of the development site?;**
 - **Provision of a traffic management plan explaining the existing and proposed traffic arrangements as a result of the new development;**
 - **Whether the access road has a traffic regulation order on it;**
 - **Measures to be taken to control light with reference to the Dark Skies SPD.**

Site and Surroundings

2. Please refer to the original 22 January 2020 committee report appended as annex 1.

Proposal

3. Please refer to original 22 January 2020 committee report appended as annex 1 to this report.
4. The following additional information has been submitted to address the reasons for deferral:
 - Red line site plan indicating the land owned by the applicant.
 - School bus access plan.
 - School access management plan by Homewood School.
 - Email from the agent addressing the reasons for deferral.

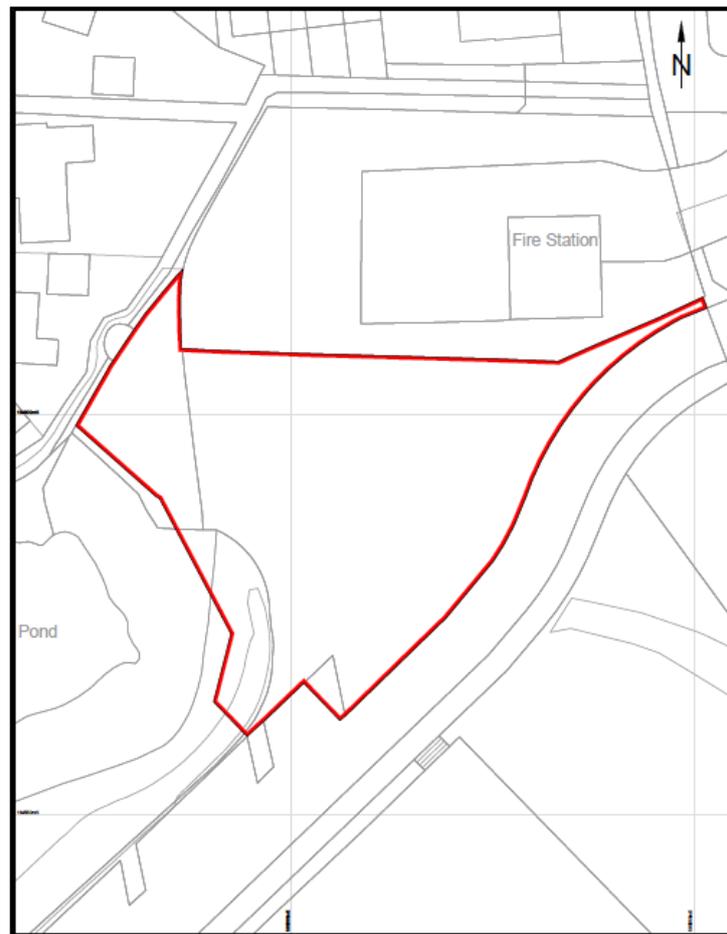


Figure 1 – Land owned by applicant measure 0.19ha

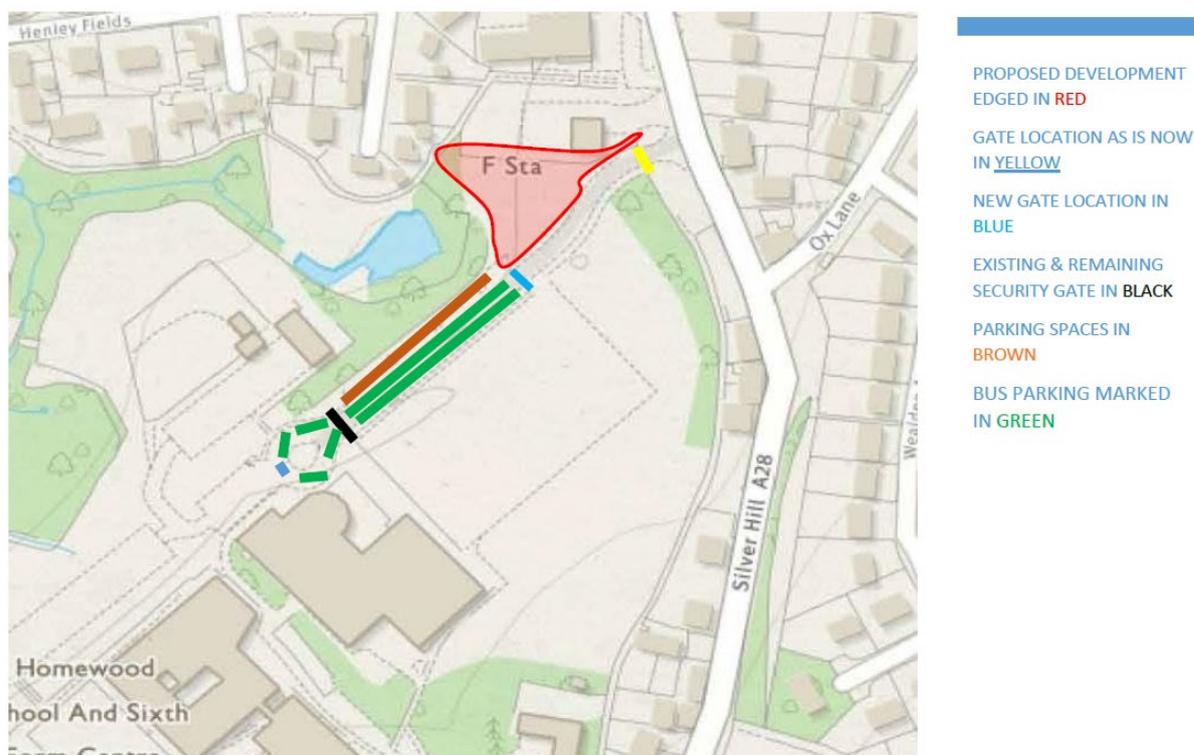


Figure 2 – School bus access plan.

5. A school access / bus management plan has been prepared by Homewood School and sets out the following:

Existing bus management

- At present the school gates open at 6.45 am and close at 9pm. When the gates are relocated these times will not change. The gate is automated.
- School buses start arriving at 8am through to 8:50am.
- The school provide two staff at the main gate (being relocated) to manage buses on entry and three staff at the end of the day. Five further staff manage students alighting the buses and entering the school.
- School finishes at 3.30pm and 2.15pm on Wednesday. Buses start to arrive 45 minutes beforehand and wait in front of the gates located in proximity to the school (black on the above plan).
- 30 minutes before the end of school duty staff start bus duty and buses are let through the gates (black on the above plan).
- The queue of buses on the access road is managed by school staff.
- Buses are managed out of the school roadway by school staff.

- Students and public are assisted in crossing the school entrance by school staff.
Future bus management
- The existing staff management will not change other than the relocation of the existing gates and the above plan demonstrates how buses will park / wait.
- New private entrance signs will be placed on / by the relocated school gates.
- The school note that the entrance for the school is only used for vehicle access, with the main school entrance used for pedestrians.
- The yellow lines along the shared section of the access drive will be fully retained and the school has advised there is a commitment to enforce these.

Planning History

6. Please refer to the original 22 January 2020 committee report appended as annex 1.

Consultations

7. Please refer to the original 22 January 2020 committee report appended as annex 1.
8. Further consultation was undertaken following the submission of additional details by the applicant which seek to address the above reasons for deferral.
9. **KCC Highways** – No objections raised subject to conditions. KCC note the submission of additional information and advise that their previous comments remain unchanged.
10. **Neighbours** - Four objections / comments have been received regarding the additional details and are summarised as follows:
 - Overdevelopment of the site.
 - Additional traffic.
 - Loss of trees and wildlife habitat.
 - Loss of privacy / overlooking.
 - Light pollution.
 - Tree protective fencing should be erected prior to development.
 - Drainage and utilities connections.
 - Access for emergency services.
 - Pollution and noise from school buses.

- Access conflict between private cars and school buses.
- Toxic dust fumes from 3G pitch.

The neighbour objections have been previously addressed in the 22 January committee report and in the report below.

Planning Policy

11. 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), Rolvenden Neighbourhood Plan 2019 and the Kent Minerals and Waste Local Plan (2016).
12. 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).
13. The relevant policies from the Development Plan relating to this application are as follows:-
14. SP1 – Strategic Objectives
SP2 – Strategic Approach to Housing Delivery
SP6 - Promoting High Quality Design
HOU3a - Residential windfall development in settlements
HOU12 - Residential space standards internal
HOU14 – Accessibility standards
HOU15 - Private external open space
TRA3a - Parking Standards for Residential Development
TRA6 – Provision for Cycling
TRA7 - The Road Network and Development
ENV1 – Biodiversity
ENV4 – Light Pollution & Promoting Dark Skies

ENV6 – Flood Risk (Minor Ground Water Vulnerability Zone)

ENV9 - Sustainable Drainage

15. 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

Sustainable Drainage SPD 2010

Dark Skies SPD 2014

Government Advice

National Planning Policy Framework (NPPF) 2019

16. 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:-
17. Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
18. Paragraph 59 relates to the need for the delivery of a sufficient supply of homes. It states that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.
19. Paragraph 117 state Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

20. Paragraph 122 states that planning policies and decisions should support development that makes efficient use of land, taking into account:
 - a. the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b. local market conditions and viability;
 - c. the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d. the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e. the importance of securing well-designed, attractive and healthy places.

21. Paragraph 123 outlines that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities.

22. Section 12 of the NPPF refers to achieving well-designed places. As such the creation of high quality buildings and places is fundamental to what the planning process should achieve. Good design is a key aspect of sustainable development, creates better places to live and helps to make development acceptable to communities. It is therefore clear that design expectations is essential for achieving this. Paragraph 127 states the following in relation to good design. It specifies that decision should ensure that developments:
 - Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
 - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
 - Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
 - Establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive welcoming and distinctive places to live work and visit.

- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and
- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

National Planning Policy Guidance (NPPG)

23. Technical housing standards – nationally described space standards

Assessment

24. The main issues for consideration are those that resulted in the deferral of the application and these are assessed in turn below. All other material considerations which the planning committee considered on 22 January 2020 are as per the appended report.

- **Land ownership along the woodland boundary;**

The agent has submitted a red line plan identify the land owned by the applicant. The plan is shown in Figure 1 above.

The initial site location plan included the shared access road which is owned by Homewood School. Certificate B was completed and notice was served on the school as the owner of the access. The applicant has therefore followed the correct procedure in terms of land ownership notices.

- **Is the school access included in the size of the development site;**

The school access is included in the original red line site location plan and therefore was included in the site area calculation on the application form.

The agent has confirmed that the site area excluding the access is 0.19 hectares and the scheme would present a density of approximately 36 dwellings per hectare.

The proposed density of approx. 36 dwellings per hectare is considered to be appropriate for the suburban location. In addition, the proposed layout indicates that the development would be accommodated within the plot without appearing as a cramped form of development with private outdoor amenity space for the ground floor units, a communal garden, landscaping and policy compliant parking provision and turning areas.

It should be noted that during the course of the application a two-bed flat over garages (FOG) has been omitted from the scheme. The Council sought to

have the FOG removed from the application as it constituted a poor standard of design and overdevelopment of the site.

- **Provision of a traffic management plan explaining the existing and proposed traffic arrangements as a result of the new development;**

Homewood School has provided an existing and proposed traffic management plan. The management plan and school bus access plan (Figure 2 above) demonstrates that there is sufficient space to park buses and coaches inside the relocated school gates. The school management plan includes active surveillance and on site management by school staff at peak times and indicates that there should not be an occasion where buses are backed up on to the shared section of the access road.

KCC Highways have been reconsulted and do not raise any objections to the bus and coach parking / access in terms of highways safety.

- **Whether the access road has a traffic regulation order on it;**

The school has confirmed that the yellow lines along the shared section of the access will be fully retained and the school has confirmed there is a clear commitment to enforce the parking restrictions.

- **Measures to be taken to control light with reference to the Dark Skies SPD.**

The application site is located in a suburban area where external lighting is already present at residential properties, street lighting and other developments typical of this suburban area.

The introduction of seven new flats would not have a significantly detrimental impact on the dark skies due to the suburban location of the site.

A lighting condition is recommended to control external lighting in accordance with policy ENV4 of the Local Plan.

Human Rights Issues

25. 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

26. 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

27. The amendments address the reasons for deferral as set out above.
28. In terms of location, the proposal would constitute sustainable residential development in accordance with policy HOU3a of the Local Plan 2030.
29. The vacant site is surplus to the requirements of the school and no objections are raised regarding the principle of development on this site. It is also noted that a block of eight flats has been granted permission on this site previously, albeit some time ago and for key workers located in borough. The principle of a flatted development has therefore been agreed previously on this site.
30. Given the location and redundant nature of the site the loss of the open aspect within the site would not result in unacceptable harm to the visual amenity of the immediate or wider surrounding area.
31. The design, siting, scale and palette of materials would complement the surrounding area and proposal would not appear overly prominent due to the location of the site and set back from the A28.
32. No residential amenity, highways safety, tree, ecology or drainage objections area raised. The proposal is therefore policy compliant, results in no unacceptable harm and as such (and in accordance with the NPPF), it is recommended that planning permission be granted.
33. In light of the above it is recommended that planning permission be granted.

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. Standard time condition
2. Materials

Highways/Parking

3. Parking spaces / turning areas
4. Construction Management Plan
5. Electric car charging

Landscaping

6. Walls/Fencing
7. Landscaping scheme
8. Trees/protection measures

Drainage

9. SUDs scheme
10. Foul sewerage

Ecology

11. Ecological enhancements and mitigation

Other

12. Obscure glazing northwest elevation upper floor windows
13. Contamination
14. External lighting
15. Development in accordance with the approved plans
16. Development available for inspection

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 19/00715/AS)

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Annex 1

Application Number	19/00715/AS	
Location	Land at Homewood School adjoining Fire Station, Ashford Road, Tenterden, Kent	
Grid Reference	588805 134276	
Parish Council	Tenterden	
Ward	Tenterden North	
Application Description	Erection of apartment block containing 7 dwellings with associated parking and amenities.	
Applicant	Churchhill Estates	
Agent	Batcheller Monkhouse, 1 London Road, Tunbridge Wells TN1 1DH	
Site Area	0.27 hectares	
(a) 17/11/R & 1/X	(b) Parish Council - R	(c) KCC ECO X; KH&T X REFUSE X ESM X KF&R X EA X

Introduction

1. This application is reported to the Planning Committee at the request of the Ward Member Cllr Paul Clokie.

Site and Surroundings

2. The application site comprises a parcel of land located on the north side of the access road into Homewood School. The site is located within the school grounds and comprises managed grassland and shrubs with a group of trees (some of which are protected by a TPO) located along the western boundary of the site. There is a pond located to the west behind the group of trees. There is a further TPO tree located in the eastern corner of the site. The site is located within the built confines of Tenterden to the west of the A28. To the north of the site is the fire station, to the south the school multi-surface playing pitches with the school grounds further to the south and southwest. Residential properties in Henley Fields are located to the northwest.

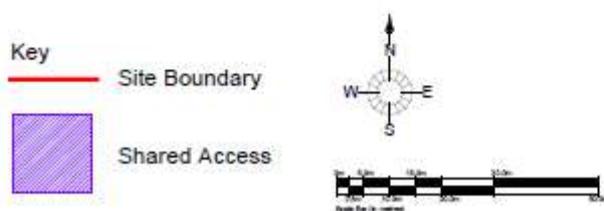
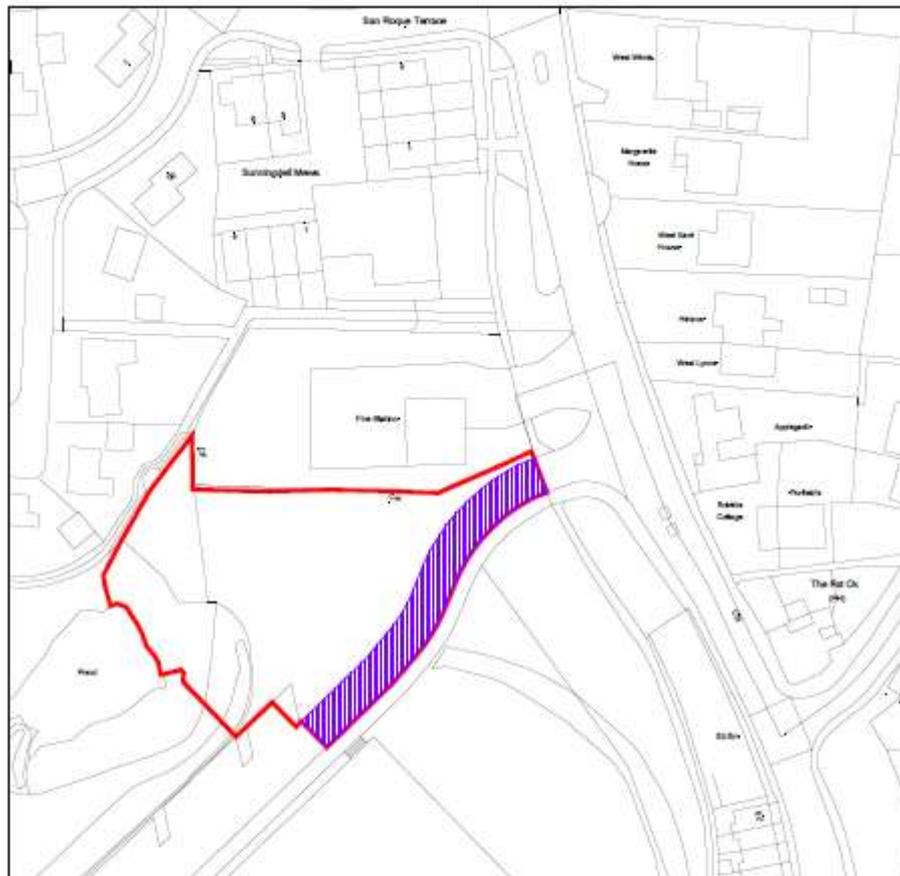


Figure 1 - Site location Plan

Proposal

3. Erection of apartment block containing 7 dwellings with associated parking and amenities.
4. The apartment block would be located towards the western boundary with the front of the building fronting northeast onto a parking and turning area. Additional parking is proposed along the southern boundary adjacent the

access road. 13 parking spaces are proposed including three visitor spaces. A dedicated refuse store and separate cycle storage are located in the parking area adjacent to the northern boundary.

5. The existing school gates would be relocated to the southeast corner of the site and the first stretch of access road would be shared by the school and proposed development.
6. Of the seven apartments there are three x two beds and four x one beds proposed. The ground floor apartments have dedicated private outdoor spaces and a communal garden is proposed in the northwest corner of the site.
7. New landscaping / tree planting is proposed at the front of the site (eastern corner), along the southern boundary and within the site itself.
8. **Amendments:** The scheme has been amended during the course of the application following negotiations between the Council and applicant. These changes comprise the following:
 - A flat above garages (FOG) has been omitted as this element of the proposal was considered to be a poor standard of design. The proposal has been reduced by one unit as a consequence.
 - The flat mix has changed from 2 bed units to a mix of 3 x two beds and 4 x one beds.
 - The on-site parking has been increased to comply with policy TRA3a and to include visitor parking.



Figure 4:- Proposed Floor Plans

Planning History

02/01996/AS	Construction of eight one bedroom flats for keyworker accommodation in a two storey building	PERMITTED	23/02/2004
04/01949/AS	Application to vary condition 9 of planning permission no. 02/1996/AS for the construction of 8 one-bedroom flats for key worker accommodation in a two-storey building.	PERMITTED	29/03/2005

Adjacent site

17/01770/AS	Refurbishment of an external reggraded sports pitch into a new 3G surfaced Artificial Turf Pitch (ATP) with new fencing, new floodlighting, and a storage container	PERMITTED	08/06/2018
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Consultations

Ward Member: Is a Member of the Planning Committee and has requested that the application be determined by the planning committee.

Town Council: Objects to this application for the following reasons:-

- Overdevelopment; overlooking/loss of privacy for neighbouring properties; damage to trees with TPO's; parking and highway congestion.

ESM: No objections. Recommend electric car charging and contamination conditions.

ABC Refuse: Confirm refuse vehicles could safely access / egress the site.

KH&T: No objections following amended flat type (two beds replaced by one beds) and additional on-site parking provision.

KCC Ecology: No objections. Recommend conditions for ecological mitigation and enhancements. Additional surveys confirm there are no badger sets on the site.

KF&R: Means of access is acceptable.

EA: Have assessed this application as having a low environmental risk.

Neighbours: 17 consulted; 11 objections and one general comment have been received. These are summarised as:

- Peak school times will affect access to the proposed development.
- Parking and congestion increase.
- Japanese Knot Weed is on the site.
- Proximity of pond to the site and ecology impact.
- Loss of privacy to the houses in Henley Fields located to the rear of the site.
- Increased risk of vandalism.
- Trees / shrubs already cleared from site.
- Impact on TPO trees.
- Overdevelopment of the site.
- Development is too intrusive and big and too close to neighbouring houses.
- Loss of green space.
- Site is not identified in the Local Plan 2030.
- Under provision of on-site parking.
- Unsustainable development.
- Impact on underground springs.
- Impact from floodlights on nearby school pitches.
- No foul sewer details

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 and the Kent Minerals and Waste Local Plan (2016).
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 - TRA7 - The Road Network and Development
 - ENV1 – Biodiversity
 - ENV4 – Light Pollution & Promoting Dark Skies
 - ENV6 – Flood Risk (Minor Ground Water Vulnerability Zone)
 - ENV9 - Sustainable Drainage
12. 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

Sustainable Drainage SPD 2010

Dark Skies

Government Advice

National Planning Policy Framework (NPPF) 2019

13. 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:-
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 - c. the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

- d. the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
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 - Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
 - Establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive welcoming and distinctive places to live work and visit.
 - Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and
 - Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

National Planning Policy Guidance (NPPG)

20. Technical housing standards – nationally described space standards

Assessment

The main issues for consideration are:

- Principle
- Visual amenity/Design & Layout
- Residential amenity
- Parking & Highway safety
- Ecology and trees
- Other matters

Principle

21. The site comprises a vacant parcel of managed grassland located within the urban area of Tenterden. The site is located within the school grounds and is surplus to the requirements of the school and is not classed as school sports pitch or playing fields. The site is located in a sustainable location within the built confines of Tenterden where the principle of additional housing is considered acceptable in accordance with policy HOU3a of the Local Plan 2030 and the aims and objectives of the National Planning Policy Framework which supports the redevelopment of underutilised sites for housing growth. It is also noted that a block of eight flats has been granted permission on this site previously, albeit some time ago (2004) and for key workers located in borough. The principle of a flatted development has therefore been agreed previously on this site.
22. The proposal would be in accordance with the principle of policy HOU3a which supports appropriately scaled new housing development in sustainable locations within the existing settlements, including Tenterden, subject to a number of criteria being met as set out below:
 - a) It is of a layout, design and appearance that is appropriate to and is compatible with the character and density of the surrounding area;
 - b) It would not create a significant adverse impact on the amenity of existing residents;
 - c) 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);
 - d) It would not result in significant harm to the landscape, heritage assets or biodiversity interests;
 - e) 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;
 - f) It does not need substantial infrastructure or other facilities to support it, or otherwise proposes measures to improve or upgrade such infrastructure;
 - g) 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,

h) It would not displace an active use such as employment, leisure or community facility, unless meeting the requirements of other policies in this Plan.

23. In light of the above the proposal complies with criteria c); f); & h). The remaining parts of policy HOU3a are assessed below.

Visual Amenity / Design & layout

24. The surrounding area is characterised by a variety of built development including different uses, built forms, scales and plot patterns. There is linear residential development along the A28, the fire station to the north of the site with a parade of shops further to the north with new backland residential development behind the shops.
25. Given the set back from the A28 and varied building forms and plot patterns within the immediate setting the proposal would not appear incongruous or prominent within this site. Indeed the building pattern would follow a similar pattern to the new housing development accessed off Chalk Avenue located behind the parade of shops fronting onto the A28. In addition, the principle elevation has been positioned to contribute positively to the entrance off the Ashford Road and ensure an active frontage is viewed along the shared access road into the site.
26. Part of the development would be three-storey in height and it is noted that the prevailing building height in the immediate area is two-storey, with some examples of living accommodation in the roof space. However, given the set back from the road, location behind the fire station, and tree screening along the A28 it is considered that a three-storey development would not appear overly prominent and would constitute the optimal use of this site for housing development. The three-storey element would also be viewed in the foreground of the larger school buildings located behind the site.
27. In terms of the design, the building has drawn reference from the mill buildings within the local and wider area. The building is designed to reflect the weather-boarded and tall aspects of mill buildings and the low shallow pitched roof form stems from this. Furthermore, the shallow pitched roof form would reflect similar roof forms seen throughout Tenterden, both old and new. The design is considered to reflect local character and has sought to draw on aspects of local vernacular to ensure the development fits in with its surroundings. Materials comprise white painted timber weatherboarding, white fenestration, red stock facing bricks and natural roof slates which are considered to be good quality materials and would reflect the local vernacular. A materials condition would ensure the materials are of a high standard.
28. Overall, the development would constitute a high standard of design with low-level pitched roofs and complementary materials and a design to reflect the local vernacular. The palette of materials, backland setting and proposed landscaping would ensure the development sits comfortably within the

streetscape and would not appear overly prominent, cramped or dominant. The proposal would comply with HOU3a criteria a).

Residential Amenity

29. The building has been designed, sited and orientated to avoid an unacceptable loss of amenity to the nearest neighbouring residential properties located to the rear of the site in Henley Fields. The building has been orientated so the rear elevation faces away from the residential properties located at the rear of the site to avoid overlooking towards the residential properties / gardens. Further, the northern flank wall of the development would be located more than 18m from the boundary of the application site and established tree and boundary planting along the north / western boundary would screen the development from the neighbouring rear gardens. Given the separation distances involved, orientation of the building and boundary screening, it is considered that the proposal would not appear overbearing or dominant from the neighbouring rear gardens. Similarly given the above the proposal would not result in an unacceptable loss of privacy / overlooking towards the rear gardens of the properties fronting Henley Fields. Notwithstanding this, it would be appropriate to include a condition that the windows on the north elevation are obscure glazed to overcome the perception of overlooking towards the residential rear gardens. The windows on the north elevation are all secondary kitchen and living room windows so obscure glazing would not jeopardise the outlook / light of the future occupants of the development.
30. The orientation of the building has been formed by the relationship to the adjacent school grounds to mitigate direct overlooking into school playing grounds and the particular siting of living rooms/kitchens has been designed to limit the extent of rooms that face the school grounds. In addition, the use of the school's artificial pitch located to the south of the site is controlled by planning conditions which stipulate that the pitch and lights cannot be used before 8am and after 9pm on weekdays and before 9am and after 7pm on the weekend. The time limits prevent the use of the pitch during unsociable hours and would ensure the amenity of the future occupiers would be safeguarded. In terms of the impact from the fire station the proposed building would be set away from the shared boundary and the infrequent use of the fire station would not result in any unacceptable loss of amenity to the future occupiers of the proposed development.
31. The parking court at the front of the site is set to allow for visual overlooking of the spaces, rather than a backland 'dead' space of parking behind the building and the parking area would be softened by landscaping at the front of the site and adjacent the parking area
32. The proposed development would provide private patio / outdoor spaces for the ground floor units and a communal garden area in the northwest part of the site. The level of amenity space is considered to be in accordance with policy HOU15.

33. The proposed internal living accommodation would comply with the National Technical Standards, which are also set out under policy HOU12.
34. The proposal would not unacceptably harm the amenity of existing residents and would provide acceptable level of amenity for future residents. The proposal complies with criteria b) & g) of HOU3a.

Parking and Highway Safety

35. The development would utilise the established access from the A28. The continued use of this access onto the main road is considered acceptable for the level of development proposed.
36. The two bed flats would be allocated two parking spaces, the one bed units would have one space each and there would be a further three visitor parking spaces. The parking court would allow on-site turning and a tracking plan has been submitted which demonstrates that refuse vehicles could access the site. The parking provision and turning facilities would be in accordance with policy TRA3a for this suburban location.
37. The development would also encourage the use of sustainable modes of transport through the provision of cycle storage to comply with policy TRA6 for cycle parking.
38. The existing school gates would be relocated from the front of the site adjacent to A28 to the southwest corner of the site. The first section of the existing access would become a shared access for the proposed housing development and school. Given that policy compliant parking and turning facilities can be provided within the site and there is a dedicated pedestrian footpath into the school there would be no unacceptable conflict or highways / pedestrian safety objections regarding the shared access. This has been confirmed by KH&T who have raised no objection.
39. Seven additional dwellings would not result in a significant increase in traffic and the traffic generated could be accommodated on the local and wider road network without harm to highway safety, therefore complying with criterion e) of policy HOU3a.
40. In regard to paragraph 109 of the NPPF, which states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, I am satisfied that there is no conflict with the NPPF in this regard.

Ecology and trees

41. The site comprises a managed area of grass with a group of TPO trees and scrubland to the west / northwest of the development area. A pond and

wooded area is located to the west of the site. There is a further TPO tree located in the eastern corner of the site.

42. The application is supported by an ecology survey and a badger survey following reports from local residents that there were badger setts on the site. The surveys confirm that badgers utilise the site but no evidence of setts were found. The badger report sets out mitigation measures to protect badgers during development works which can be secured by condition.
43. The ecology report also indicates that Japanese Knotweed is present on the site therefore details will need to be submitted to the council by condition to ensure this is removed in the correct manner or retained in situ in a safe manner.
44. The pond to the rear of the site contains a large number of carp and wildfowl and the pond is therefore not considered to be a good habitat for Great Crested Newts, as confirmed by the supporting ecology report / survey and KCC Ecology.
45. The development site itself comprises managed grassland and therefore offers limited ecology potential and the development has been sited to avoid unacceptable impact on the group of trees to the west of the site. There would be some minimal incursion into the root protection area (RPA) of one tree but an appropriate construction method as set out in the arboricultural report would avoid unacceptable damage to tree roots. The TPO tree located in the eastern corner of the site would be removed to facilitate the development, however, this tree is in poor condition and has a limited life span and can therefore be removed subject to mitigation tree planting, which can be secured by condition.
46. The tree to be removed does not provide suitable habitat for bat roots and an appropriate lighting condition would ensure migrating bats using the small wooded area to the west of site would be safeguarded.
47. KCC Ecology has reviewed the ecology surveys and has raised no ecology objections subject to conditions to secure ecological mitigation measures and enhancements as set out in the ecology report. Consequently the proposal complies with criterion d) of HOU3a.

Other matters

48. It is proposed to deal with surface water drainage via the soakaway which is acceptable in principle. Further details can be sought via condition. No details of foul sewerage have been indicated and further information can be submitted by condition. It is likely, subject to Southern Water's consent that the development would connect to the existing foul water sewerage network.

Human Rights Issues

49. 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

50. 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

51. In terms of location, the proposal would constitute sustainable residential development in accordance with policy HOU3a of the Local Plan 2030.
52. The vacant site is surplus to the requirements of the school and no objections are raised regarding the principle of development on this site. It is also noted that a block of eight flats has been granted permission on this site previously, albeit some time ago and for key workers located in borough. The principle of a flatted development has therefore been agreed previously on this site.
53. Given the location and redundant nature of the site the loss of the open aspect within the site would not result in unacceptable harm to the visual amenity of the immediate or wider surrounding area.
54. The design, siting, scale and palette of materials would complement the surrounding area and proposal would not appear overly prominent due to the location of the site and set back from the A28.
55. No residential amenity, highways safety, tree, ecology or drainage objections area raised. The proposal is therefore policy compliant, results in no unacceptable harm and as such (and in accordance with the NPPF), it is recommended that planning permission be granted.

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. Standard time condition
2. Materials

Highways/Parking

3. Parking spaces / turning areas
4. Construction Management Plan
5. Electric car charging

Landscaping

6. Walls/Fencing
7. Landscaping scheme
8. Trees/protection measures

Drainage

9. SUDs scheme
10. Foul sewerage

Ecology

11. Ecological enhancements and mitigation

Other

12. Obscure glazing northwest elevation upper floor windows
13. Contamination
14. Development in accordance with the approved plans
15. Development available for inspection

Note to Applicant

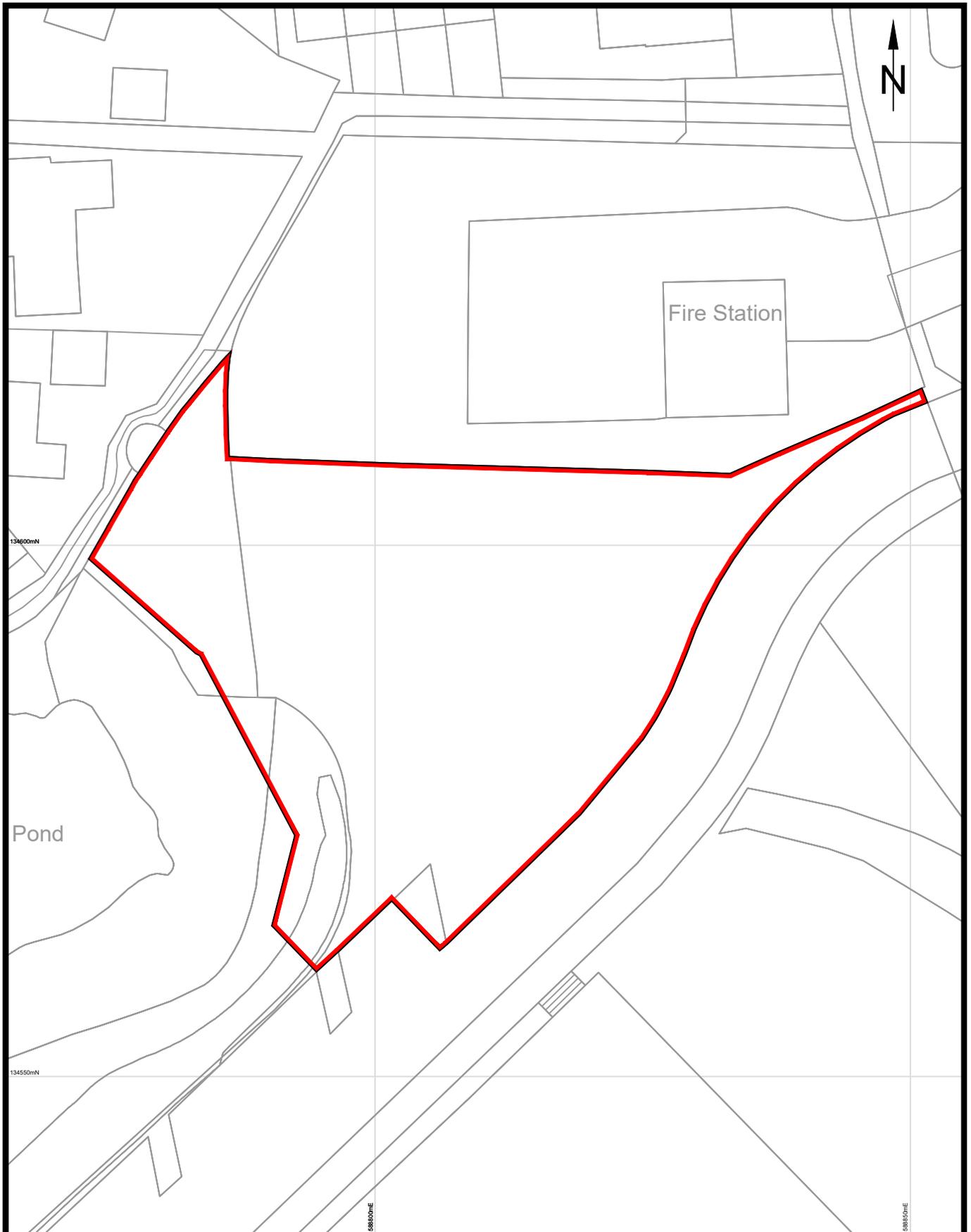
1. Working with the Applicant

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 19/00715/AS)

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JOB : LAND AT ENTRANCE TO
HOMWOOD SCHOOL, ASHFORD ROAD
TENTERDEN, KENT, TN30 6LT

CLIENT : CHURCHVIEW LTD

TITLE : BOUNDARY LOCATION PLAN

SCALE : 1:500

DWG. No. : 1.

REV. NO. :

DATE : APRIL 2019

DRAWN BY : A.Nicholson

PLOT DATE : 17/10/2019

CADFILE : HOLMWOOD OCTOBER 2019.dwg

ORIGINAL SHEET SIZE: A4

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