

# Officer's Assessment Sheet

<b>Application Number</b>	PA/2023/2232		
<b>Type</b>	Full planning permission		
<b>Location</b>	Glendale House, Coopers Lane, Aldington Frith, TN25 7HH		
<b>Proposal</b>	Erection of 4no. dwellings with associated access, parking, landscaping and infrastructure, following the demolition of existing units and hardstanding.		
<b>Case Officer</b>	Laura Payne		
<b>Registration Date</b>	30/11/2023	<b>Consultation Ends</b>	
<b>Valid Date</b>	11/12/2023	<b>Deadline Date</b>	21/08/2024
<b>Applicant</b>	Mr C Moore		
<b>Agent</b>	Oonagh Kerrigan		

## Environmental Impact Assessment ---

Is EIA Required: No Reason: Not Applicable

## RECOMMENDATION

**Approve with Conditions**

### Site and Surroundings

The site is a rectangular parcel of land approximately 0.149 ha in size located to the west of Cooper Lane in Aldington Frith. The site which is vacant was formally in commercial use within a two storey building set back from the road and collection of single story structures to the rear. The site has extensive hardstanding and provides parking to the front and rear.

Falling outside of any defined village envelope the site is in the countryside and lies within Aldington Frith, a small hamlet broadly clustered around the crossroads of Coopers Lane and Frith Road and located approximately 1800m to the west of Aldington village. The site itself is bounded to the north and south by residential properties Yonder and The Frith. To the west is a cluster of commercial units and Coopers Lane lies to the east with agricultural fields beyond.

The site lies within the Aldington Frith Landscape Character Area (LCA) where the guidelines are to conserve and restore grasslands. It is also located outside of the East Stour Catchment.

### Proposal

Planning permission is sought for the demolition of the existing buildings on site and erection of 4 dwellings. Two houses would front Coopers Lane and a pair of semi-detached 1½ storey dwellings would be located to the rear of the site. Each property would have its own private rear garden to the rear and off-road car parking spaces located in dedicated parking court.

The proposal is an alternative that approved under application 21/01374/AS (see below).

### **Relevant Planning History**

**21/01374/AS** - Demolition of existing units and hardstanding and erection of 3no. detached dwellings with associated access, parking, landscaping and infrastructure. Approved with conditions on 15/08/2022.

### **Planning Policy**

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).

Although not yet part of the Development Plan, the following emerging Neighbourhood Plans are a material consideration:

- (i) Pluckley Neighbourhood Plan Review currently passed Referendum.
- (ii) Tenterden Neighbourhood Plan currently at Regulation 18 of the neighbourhood plan making process.
- (iii) Aldington & Bonnington Neighbourhood Plan currently at Regulation 18 of the neighbourhood plan making process.

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

### **Ashford Local Plan 2030**

SP1 - Strategic Objectives  
SP2 - The Strategic Approach to Housing Delivery  
SP6 - Promoting High Quality Design  
HOU5 – Residential Windfall Developments in the Countryside  
HOU12 - Residential space standards internal  
HOU14 - Accessibility standards  
HOU15 - Private external open space  
HOU18 - Providing a range and mix of dwelling types and sizes  
TRA3a - Parking Standards for Residential Development  
TRA5 - Planning for Pedestrians  
TRA6 - Provision for Cycling  
ENV1 - Biodiversity

ENV3a - Landscape Character and Design  
ENV4 - Light pollution and promoting dark skies  
ENV5 - Protecting important rural features  
ENV7 – Water Efficiency  
ENV8 - Water Quality, Supply and Treatment  
ENV9 - Sustainable Drainage

### **Supplementary Planning Documents**

Landscape Character SPD 2011  
Residential Parking SPD 2010  
Sustainable Drainage (SuDs) SPD 2010  
Residential Space & Layout SPD 2011  
Dark Skies SPD 2014

### **Informal Design Guidance Notes**

Climate Change Guidance for Development Management 2022  
Design Guidance Note 1: Residential layouts & wheeled-bins  
Design Guidance Note 2: Screening containers at homes  
Design Guidance Note 3: Moving wheeled-bins through covered parking facilities to the collection point  
Design Guidance Note 4: Non-Mains Drainage for Local Planning Authorities and Developers

### **Government Guidance**

National Planning Policy Framework 2023  
Planning Practice Guidance  
National Design Guide 2021  
Technical Housing Standards - nationally described standards

### **Consultations/Representations**

**Mersham Parish Council:** No comments received.

**KCC Ecological Advice:** Initially requested an updated Preliminary Ecological Appraisal and bat emergence surveys.

On receipt of the PEA and bat emergence surveys KCC Ecology advised that sufficient ecological information has been provided to determine the application, subject to the imposition of conditions relating to a Landscape and Ecological Management Plan (including details of bat boxes and external lighting).

**Neighbours:** 19 consulted and 3 letters of objection received stating the following:

- No regular bus routes within this area.
- There have been a lot of accidents at the crossroads.

- No amenities within the area. No shops close, street lighting etc.
- Visibility at the crossroads is limited.
- Increased traffic will lead to increased risk of accidents.
- Increased light pollution, noise pollution.
- Overdevelopment is not in keeping with the local area.
- No consultation with the owners of the Frith as to how the demolition of the building attached to the Frith will take place.

1 letter of support was also received in relation to the scheme stated:

- The proposal will not increase traffic anymore than the existing approved application will.
- The site is derelict and needs to be developed asap.
- People need affordable homes and this site will help deliver that.

## **Assessment**

### **Principle**

In terms of the principle of development, it has been established under application 21/01374/AS that the re-development of this site for residential is acceptable and would comply with the requirements of policy HOU5 and SP1. As this permission is extant and can therefore be reasonably expected to be implemented, the principle of development does need to be reassessed. The key issue is the visual impact this revised proposal would have upon the character and appearance of the site and its rural surrounds.

### **Landscape Character and Appearance**

The key consideration is whether, in comparison, this proposal represents an enhancement over and above that which has been previously approved.

Policy SP6 states that development proposals must be of high quality design and demonstrate careful consideration of and a positive response, to a number of design criteria. This includes, the character, distinctiveness and sense of place. All development proposals need to reflect their local context, particularly where this has a special character or features of interest, whether built or natural. This is supported by policies ENV3a and ENV3a which seeks development to demonstrate particular regard to the landscape.

Compared with the extant permission this revised proposal broadly follows the same proposed layout and design with the exception of dividing the single dwelling at the back of the site, into two. The scale, bulk and mass of buildings would remain the same.

At two storeys, the frontage dwellings continue to match the existing former dwelling on site and buildings within the local area and would be traditionally designed in brick and plain tiles under a pitched roof with half catslide given the variation in architectural language In Aldington Frith, the proposed form, appearance and materials of plots 1 & 2 would integrate into the wider street-scene, subject to materials to be clarified by condition The height proposed is responsive to the built context and considered acceptable.

The existing development has given depth to the development pattern in the immediate area that Plots 3 and now 4, respond to. These units, would be lower and more subordinate in scale than the frontage dwellings and are considered acceptable. The chalet bungalow design would be in similar materials to the frontage dwellings and taken with its discreet scale would be in keeping with the visual appearance of the area.

Compared to the existing permission, in its amended form the proposal would respond positively to its rural context and represents a cohesive modern dwelling which would not result in significant or unacceptable visual harm. The proposed layout, design and appearance is appropriate and would be compatible with the character of the surrounding area. On balance, the development would enhance the visual amenity of the area

With regard to landscape character, the site is bounded by existing residential and commercial development. The proposal sits comfortably within the context with significantly enhanced garden and planting which would help integrate the site more appropriately into the wider rural context. Accordingly, the proposal would not adversely impact upon wider landscape character.

### **Residential Amenity**

Given the separation to neighbouring properties and position of obscure glazed windows proposed, the proposed development would not result in undue overlooking of existing or future neighbouring properties. Nor would it be overbearing and/or result in the loss of light. The roof form has been hipped to plots 3 and 4 to reduce any overbearing impacts. Accordingly, no harm to the residential amenity of neighbouring property would result from the proposal.

The dwellings would meet the Nationally Described Space Standards and include large garden spaces in accordance with Local Plan policies HOU12 & HOU15. The dwellings are also of sufficient size to comply with the requirements of Policy HOU14 and Building Regulations Part M4(2). It is therefore considered the proposed new dwellings would provide a good standard of amenity for future residents.

### **Flooding and Drainage**

The NPPF seeks to direct development away from areas of highest flood risk. Policy ENV9 of the Local Plan 2030 requires development to include appropriate sustainable drainage systems for the disposal of surface water where it is practical to do so, to avoid any increase in flood risk or adverse impact on water quality.

The application site is located within an area of 'low' probability of flooding being located within Environment Agency Flood Zone 1.

The proposed management of surface water runoff generated by the development is via SUDs to ensure that the development does not exacerbate the risk of on/off-site flooding. It is noted the site coverage of hardstanding will be vastly reduced by the proposal reducing

surface water runoff. In terms of foul sewage, a package treatment plant is proposed. As such, the application is considered to be acceptable on flooding and drainage grounds.

### **Highways and Parking**

Access to the site will be from directly off Cooper Lane as currently provided. It is noted that the proposed development dwellings may result in a slight net increase in movements onto the local road network to and from the site, but these traffic movements would not be significantly above the previous commercial use or result in any additional safety issues. Visibility from the new access onto Cooper Lane is acceptable in both directions and raises no concerns in terms of highway safety. As such, I am satisfied that the proposal would not place undue pressure on the wider road network.

There is adequate space within the application site to accommodate parking for cars as well as cycle parking in accordance with adopted policy standards set out in policy TRA3a of the Local Plan 2030.

### **Ecology**

In light of the submitted PEA and Bat Emergence Surveys it is not considered the proposal would result in significant or unacceptable ecological harm and the proposed development has limited potential to impact upon protected species.

Mitigations and enhancements for bats are recommended, including a sensitive lighting strategy and the incorporation of four durable bat boxes (two Schwegler 1FFH and 2 WoodStone Beaumaris) into the development. Native/nectar-rich plants are also recommended in any landscaping plan. These features (as well as the three durable bird boxes recommended in the PEA) can all be secured in a Landscape and Ecological Management Plan (LEMP) condition.

### **Stodmarsh**

The Council has received advice from Natural England (NE) regarding the water quality at the nationally and internationally designated wildlife habitat at Stodmarsh lakes, east of Canterbury, which in particular includes a Special Area of Conservation (SAC), a Special Protection Area for Birds (SPA) and a Ramsar Site. This relates to an increased level of nitrates and phosphates within the protected sites which is adversely affecting the integrity of the habitat of the lakes.

In this case the application site is located outside the Stour operational catchment and therefore the site lies outside of the spatial extent covered by the latest guidance issued by Natural England for Local Planning Authorities with respect to the Stodmarsh designated site.

Given there are no foul sewer assets in the area and the site is located outside any Southern Water WWTW service catchment the development will need to install a package

treatment plant for foul sewage. As water would not be going into the WWTWs within the catchment through the mains sewer network the application is not caught by Stodmarsh.

### **Working with the applicant**

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation and the decision notice.

### **Human Rights**

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 represents an appropriate balance between the interests and rights of the applicant (to enjoy his 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) and the wider public interest.

### **Conclusion**

In conclusion for the reason set out above, 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 refusal, it is recommended that the application be approved subject to conditions.

### **Conditions:**

- 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 hereby permitted shall be carried out in accordance with the following approved plans and documents:

<b>Description</b>	<b>Date</b>
Visibility Splays - H-01	30 November 2023
Street Elevation - 20-52-37	30 November 2023
Location Plan - 20-52-21	30 November 2023
Proposed Site Elevations - 20-52-35 A	11 December 2023
Elevations & Plans Plots 1 & 2 - 20-52-36 A	11 December 2023

Elevations & Plans Plots 3 & 4 - 20-52-38 B

11 December  
2023

Roof Plan - 20-52-34 B

11 December  
2023

PEA Report - Glendale House (Fellgrove, March 2024)

19 March 2024

Glendale House Bat Survey Report (Fellgrove, July 2024)

17 July 2024

**Reason:** For the avoidance of doubt and in the interests of proper planning.

- 3 No development including any preparation works prior to building operations shall take place on site until a Construction and Transport Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Construction and Transport Management Plan shall include, but not be limited to the following:

- a) Details of areas on site for parking and turning for site personnel;
- b) Details of areas on site for parking loading and unloading of plant and materials, and provision of on-site for turning for delivery and construction vehicles including HGVs;
- c) Details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances;

The approved Construction and Transport Management Plan shall be adhered to throughout the duration of the demolition and construction period.

**Reason:** To prevent obstruction of the highway and to protect the residential amenity of the occupiers of neighbouring properties.

- 4 Prior to above ground works taking place, details (including source/manufacturer and colour) and samples (where required) of all materials to be used on the external surfaces of the buildings, including but not limited to brick, tiles and cladding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved and retained for the lifetime of the development.

**Reason:** In the interests of the visual amenity of the locality

- 5 Prior to above ground works taking place, the following fine details (at a scale of 1:20 or 1:50 as may be appropriate) shall be submitted to, and approved in writing by, the Local Planning Authority:

- (i) windows and doors and other external joinery (including depth of reveals within openings, materials and final finish colour);
- (ii) any entrance canopies (including materials, supports and final finish colour);
- (iii) external extracts/vents/terminals, including any proposed venting to roofs (including materials and final finish colour);
- (iv) details of concealed rain water goods systems and any external rain water goods gutters and down-pipes (including materials and final finish colour);

The development shall be carried out in accordance with the fine details so approved and retained for the lifetime of the development.



**Reason:** No such fine details have been submitted and to ensure that the fine detailing of new buildings works well with approved materials and is of a high quality in the interests of visual amenity, townscape impacts and the protection of heritage assets

- 6 Prior to the first occupation of the development, a Landscape and Ecological Management Plan (LEMP) will be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP will be based on the recommendations of the Preliminary Ecological Appraisal (Fellgrove, March 2024) and Bat Emergence Survey Report (Fellgrove, July 2024) associated with the planning application and shall include details of the following:

- Landscaping to be incorporated into the development which shall include plants of native origin/which are beneficial to wildlife (including a planting schedule, species and numbers);
- The provision of four durable bat boxes on site;
- The provision of three durable bird boxes on site; and
- External lighting to be installed so that it can be clearly demonstrated that areas to be lit shall not disturb bat activity.

The approved plan shall be implemented in accordance with the approved details.

**Reason:** To contribute to and enhance the natural and local environment by providing net gains for biodiversity in line with the NPPF 2023 180(d).

- 7 Details of walls and fences to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The walls and fences shall then be erected before the adjoining part of the development or dwelling is occupied in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the amenity of the area.

- 8 The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:

(a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) and in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement, to the satisfaction of the Local Planning Authority. Such tree protection measures shall remain throughout the period of construction

(b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;

(c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;

(d) No roots over 25mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;

(e) Ground levels within the spread of the branches or Root Protection Areas (whichever

the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level.

(f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

**Reason:** Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality i

- 9 Prior to the first occupation of each dwelling with a designated car parking space, at least 1 space per dwelling shall be fitted with an Electric Vehicle Charging point. All Electric Vehicle charger points shall be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). The charging point shall thereafter be retained available, in a working order for the charging of electric vehicles. Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>.

**Reason:** To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles

- 10 The area shown on the drawing number 20-52-32 as vehicle parking space and turning shall be provided, before the dwellings are occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

**Reason:** Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Classes A, AA, B, C, D and E of Part 1 of Schedule 2 of that Order or any Order revoking and re-enacting that Order.

**Reason:** To protect the visual amenity of the locality and to safeguard the immediate setting of the neighbouring listed buildings.

- 12 Part 1

If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the guidance in LRCM "Land and Contamination: Risk Management" (and CLR11 "Model Procedures for the Management of Contaminated Land" where relevant) published by the Environment Agency. Where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2.

## Part 2

Following completion of the remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

### **Informatives:**

- 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 positively and proactively 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 suggest solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal before a decision and,

In this instance,

- the applicant/agent was updated of any issues after the initial site visit,
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted.
- the applicant/agent was provided the opportunity to submit amendments to the scheme/ address issues.

- The applicant is reminded of the need for the development to satisfy the requirements of the Building Regulations and in respect of climate change in particular the following documents:
  - Approved Document L (Conservation of fuel and power)
  - Approved Document F (Ventilation)
  - Approved Document O (overheating)
  - Approved Document S (Infrastructure for electric charging vehicles)