

Officer's Assessment Sheet

Application Number PA/2025/0803
Type Change of use
Location 247 Faversham Road, Kennington, TN24 9AJ
Proposal Change of use from commercial to C3 domestic residential annexe, domestic storage and garaging, including associated fenestration.
Case Officer Sally Hodgson
Registration Date 28/04/2025 **Consultation Ends** 12/06/2025
Valid Date 09/05/2025 **Deadline Date** 04/07/2025
Applicant Mr Matt Miler
Agent Mr Jonathan Childs

Environmental Impact Assessment ...

Is EIA Required: No Reason:

RECOMMENDATION

Approve with Conditions

Site and Surroundings

The application site comprises a detached outbuilding serving a semi-detached Victorian property within the Kennington area of Ashford. It is within the Conservation Area. Parking is available on the driveway for 3-4 cars. Permission was granted in 1981 for the then existing garage to be extended to provide an audio/visual facility. The only restrictive condition imposed at that time was to prevent the use or installation of machinery.

Proposal

Change of use from commercial to C3 domestic residential annexe, domestic storage and garaging, inc associated fenestration.

Relevant Planning History

No recent relevant planning history other than the 1981 permission (81/01282/AS).

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 Rolvenden Neighbourhood Plan (adopted December 2019),
- v. the Boughton Aluph & Eastwell Neighbourhood Plan (adopted October 2021)
- vi. the Egerton Neighbourhood Plan (adopted March 2022)
- vii. the Charing Neighbourhood Plan (adopted July 2023)
- viii. the Pluckley Neighbourhood Plan Review 2023 (adopted July 2024)
- ix. the Aldington Bonnington Neighbourhood Plan (adopted October 2024)
- x. the Tenterden Neighbourhood Plan (adopted October 2024)
- xi. the Kent Minerals and Waste Local Plan 2024 to 2039 (2025) & the Kent Minerals Sites Plan (2020)

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

Ashford Local Plan 2030:

SP1, SP6, ENV3a, ENV4, ENV14, HOU9, TRA3a

Supplementary Planning Documents

Residential Parking SPD 2010
Dark Skies SPD 2014

Government Guidance

National Planning Policy Framework December 2024
Planning Practice Guidance

Consultations

Kennington Community Council - no comment received

Neighbours - 4 neighbours consulted; no representations received

Other - Support comment received from the National Annexe Planning Consultancy

Assessment

Principle/Visual Amenity

Policy HOU9 makes provision for detached annexe accommodation where:

- The existing dwelling enjoys a lawful residential use;
- The proposed annexe would not materially harm any neighbouring uses, including the living conditions of nearby residents
- The proposed annexe is suitable in size, scale and materials and clearly ancillary and visually subordinate to the principal dwelling;
- It is sited to achieve a clear dependency is retained between the annexe and the main building at all times;

- The proposed annexe is designed to ensure it does not result in significant harm to the overall character and appearance of the surrounding area taking into account the surrounding built form and street scene.

The building already exists and no physical works (other than internal accommodation and a change to fenestration) are proposed to facilitate the development. The existing accommodation includes a mixing and recording studio along with a lounge, kitchen, storage, conservatory and bathroom. The only changes now will be to incorporate a bedroom area, a laundry and a full sized bathroom to be used as ancillary annexe accommodation whilst retaining the other existing areas to be used for domestic storage. The proximity of the proposed annexe to the house, combined with its accommodation provision, along with the fact that it would be located in the rear garden of the host dwelling and would thus share amenity space provision, and access and parking with the existing dwelling, demonstrates that the proposed annexe would have a clear dependency to the main dwelling.

Furthermore as the original music/recording studio did not provide employment, there would be no loss of employment use associated with the proposals.

The building continues to be acceptable in its design and use of materials. This together with the footprint, continues to represent a building subordinate in size and scale to the host dwelling and would not represent a visually intrusive form of development within the surrounding area. Furthermore there would be no harm to the character of the surrounding conservation area.

Residential Amenity

Given the fact the building already exists, there would be no significant harm to residential amenity as a result of the development.

Highway Safety

The addition of ancillary annexe accommodation on the site would not result in the loss of usable parking provision on site and would not give rise to an unacceptable intensification of traffic and as such would not be harmful to highway safety.

Working with the applicant

In accordance with paragraph 39 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.

Conclusion

In light of the above, I consider that the proposed development complies with the requirements of adopted DP policy and Central Government guidance and therefore recommend the scheme for approval.

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.

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:

Description	Date
Proposed Elevations - Drawing No P.04	28 April 2025
Location & Block Plan - Drawing No P.05	28 April 2025
Proposed Floor Plan - Drawing No P.03 Rev A	27 June 2025

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

- 3 The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

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

- 4 The accommodation as shown hatched on the approved drawing no P.03 Rev A of the building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 247 Faversham Road, Kennington, Ashford, TN24 9AJ and shall not be subdivided nor used as a separate dwelling or for any other purpose. The remaining garage and storage accommodation as shown on approved drawing no P.03 Rev A shall only be used for purposes incidental to the enjoyment of the dwellinghouse.

Reason: So that any other use of the building is the subject of a separate planning application to be determined on its merits having regard to the amenity of the area.

Informatives:

- **Biodiversity Net Gain**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that

development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be Ashford Borough Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply and these are set out in [The Biodiversity Gain Requirements Exemptions Regulations 2024](#).

This permission will not require the approval of a Biodiversity Gain Plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

- **Climate Change**

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)

- **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,
- 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 acceptable as submitted and no further assistance was required.