



The previously approved extension (which was to accommodate two ancillary offices) has not been built and the building is currently in use as a single unit (by a joinery company) but it is understood that an internal party wall to the building to create two units has been installed.

The new building would be 6m in height and have a footprint of 18.6m x 16.1m. The external materials proposed are profiled metal (green) for the roof and walls. The proposed building would be located in the existing yard storage area and would be sited perpendicular to the existing, main building.

The extension to the main building would increase the width of that previously approved at either end. The footprint of the approved extension was around 115sq.m.. The proposed extension would be around 76sq.m larger but still finished in horizontal oak cladding (to match the existing building) or similar (natural or Thermal Modified European (TME)).

The existing gross internal floorspace of the existing building (552sq.m.) would be increased by 344sq.m. in total. The main building would be used for assembly, main work space and ancillary day space. The previously approved extension would, along with the additional floorspace proposed, accommodate storage and 3 x CNC machines. The new building would be used for ancillary storage - finished products and raw materials. It is stated that there would be no tradable floor area and the existing 7no. full time equivalent employees would not increase.

Planting along the boundaries of application site including tree and shrub planting is proposed and the existing vehicular accesses to/from the site would remain unchanged. There would be a storage area for waste to the rear of existing main building and waste would be disposed of privately.

## **Relevant Planning and Enforcement History**

14/01151/AS - Approved 30.01.2015 - Replacement existing commercial storage unit with a larger 480m<sup>2</sup> unit for commercial use.

14/01151/CONA/AS - Approved 16.10.2015 - Discharge of condition 2.

14/01151/CONB/AS - Approved 16.10.2015 - Discharge of conditions 11, 12, 14, 15 & 16.

15/01149/AS - Approved 27.11.2015 - Replacement existing commercial storage unit with a larger 480m<sup>2</sup> unit for commercial use and straightening of the NE boundary, erection of 2m high mesh security fencing and the laying of hard surfacing to form a new access (Revised scheme to 14/01151/AS).

CO/19/00188 - Site allegedly in use as spoil regrading, storage and recycling in breach of condition 4 of 15/01149/AS - site shall only be used as a sawmill. The enforcement investigation related to the use of the site for mineral extraction and waste transfer (not as a saw mill) in breach of condition 4. There was also an associated live investigation for water and sand spilling on the highway at the egress from the Double Quick Farm site onto Lenham Forstal Road/Church Hill.

DM - 20/00704/AS – Refused 21.01.2021 - Expansion of existing premises for the erection of a new commercial unit and associated concrete apron. [This related to a new building to the rear of the site.]

Planning permission was refused for the following reasons:

- 1. The proposed new employment premises is not justified in this rural location as exceptional circumstances have not been demonstrated. As such it is not considered essential for it to be located in the countryside and the development fails to meet the core principles of the Ashford Local Plan 2030 and the National Planning Policy Framework 2019 which seek to promote sustainable development in rural areas.*
- 2. The proposed development, by reason of being unjustified, together with the siting, scale and design, would result in unacceptable encroachment and visual intrusion into the countryside that would detract from the visual amenity of the wider landscape.*
- 3. The proposed development, by reason of the unauthorised access and lack of appropriate drainage, would result in highways safety concerns due to the unsafe method of access to the site and increased risk of loss of control collisions.*
- 4. In the absence of an appropriate noise impact assessment a full assessment cannot be made in terms of the potential impact on the residential amenity of the nearby residents.*

DM - PA/2022/2791 - Approve with Conditions - Proposed extension and reconfiguration of redundant commercial building to form two units for continued commercial use and proposed ancillary offices.

DM - OTH/2023/1041 - Approve - Details pursuant to condition 11 (Cycle Storage Facility) of planning permission PA/2022/2791

ENF/2026/0030 - Alleged breach of condition 13 of PA/2022/2791 - drainage details to be submitted and approved

## **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)

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

None at present.

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

Ashford Local Plan 2030:

SP1 - Strategic Objectives  
SP6 - Promoting High Quality Design  
ENV3a - Landscape Character and Design  
ENV4 – Dark Skies  
ENV6 - Flood Risk  
ENV8 - Water Quality, Supply and Treatment  
ENV9 - Sustainable Drainage  
TRA3b - Parking Standards for Non-Residential Development  
TRA7 - The Road Network and Development  
EMP3 - Extensions to Employment Premises in the Rural Area  
EMP6 - Promotion of Fibre to the Premises (FTTP)

Draft Ashford Local Plan 2042

On the 31 July 2025, the Council's Cabinet approved a consultation version of the draft Ashford Local Plan 2042 (Regulation 18). Consultation on the draft Ashford Local Plan will take place on 18 August – 13 October 2025. At present, the policies in this emerging Local Plan should be afforded limited weight.

Charing Neighbourhood Plan

Policy D1 - Good design  
Policy D4 - Good, imaginative and innovative design

Supplementary Planning Documents

Landscape Character SPD 2011  
Sustainable Drainage (SuDs) SPD 2010  
Dark Skies SPD 2014  
Fibre to the Premises SPD 2020

Informal Design Guidance Notes

Climate Change Guidance for Development Management 2022

Village/Parish Design Statements

Charing Village Design Statement

Government Guidance

## **Consultations**

**Charing Parish Council** - objects - the previous planning application had concerns raised by Highways regarding drainage that they said required putting in. We cannot see on any of the documentation that this has been completed and signed off. Therefore until the paperwork can be shown to ABC the parish council recommends refusal of the application. Any additional work will add to the drainage issues and these should be sorted before additional work is carried out. [**Officer comment:** no concerns regarding drainage have been raised by KCC Highways in response to the current application and none compliance with condition 13 (drainage) of the previous planning permission is the subject of an ongoing enforcement investigation]

**ABC Environmental Protection** - has no comments to make.

**ABC Tree Officer** - no comments received at the time of writing this report.

**KCC Highways** - the proposed expansion of the main building is minor, and the proposed new building is relatively small in size, intended as ancillary to the main building operation. These would create a low number of potential additional vehicle movements on top of the existing site floor area. As such, impact on the wider highway network is not considered problematic. The proposed layout has adequate parking for the land use class and there is ample manoeuvring and turning space for associated vehicles. No objections raised but conditions recommended relating to a requirement for a Construction Management Plan, provision of vehicle parking spaces and vehicle loading/unloading and turning facilities.

**Maidstone Borough Council** - no objection but recommends the imposition of a suitably worded landscape condition to reinforce boundary treatment and screening on the northern and north western boundaries to limit views of the proposed building and the case officer should be fully satisfied that the resulting use would be ancillary and would not result in greater intensity of use, activity or vehicular movements which may impact neighbouring properties to the north.

## **Neighbour Consultations**

There were 5 neighbours consulted on this case. No letters of representation have been received

## **Assessment**

The main considerations in the assessment of this application are considered to be:

- Principle
- Character and appearance

- Neighbour amenity
- Highway safety and parking
- Flooding and drainage
- Ecology

## **Principle**

The NPPF encourages proposals which support a sustainable rural economy and this is also endorsed by local planning policy.

The proposal relates to a new building to the rear of the site use of which would be ancillary to the existing, main building at the site. Therefore, Policy EMP3 ('Extensions to Employment Premises in the Rural Area') is relevant to the assessment of the proposal. Policy EMP3 states that proposals to extend existing employment premises in rural areas will be permitted provided that the following criteria are met:-

- a) The development can be integrated sensitively into its context, respecting the character of the landscape, existing historic and or architecturally important buildings and sites of biodiversity value;*
- b) The proposal does not involve an extension to a previously converted building where that building has character that would be seriously affected;*
- c) There would be no significant impact on the amenities of any neighbouring residential occupiers; and,*
- d) It can be demonstrated that the development will not generate a type or amount of traffic that would be inappropriate to the rural road network that serves it.*

Criterion b) is not relevant to the development currently proposed. The other criteria will be assessed in the relevant sections below.

## **Character and appearance**

The NPPF and Council's policies, including SP1 and SP6, promote high quality design that responds to the prevailing character of the area. Policy ENV3a requires proposals to have regard to the landscape characteristics of the site. Criterion a) of Policy EMP3 requires that 'The development can be integrated sensitively into its context, respecting the character of the landscape, existing historic and or architecturally important buildings and sites of biodiversity value'. NPPF paragraph 135 states that planning policies and decisions should ensure that developments add to the overall quality of the area. They should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. They should be sympathetic to local character, including the surrounding built environment and landscape setting.

The new building would be substantial in size but would be located within an existing external storage area and would be to the rear of the existing, main building. As a result of the lower level of Lenham Fortsal Road and the existing building, the new building would not be visually prominent in public views from the south. There may be glimpses of the new building from Rose Lane and Lenham Forstal Road but the additional landscaping proposed would ensure that the new building was suitably and satisfactorily screened from public views. The planting proposed includes tree planting (two each of hornbeam, wild cherry and field maple) and 'native mixed shrub'. The design of the building and external

materials proposed would be appropriate for the type of building proposed and its rural location and, whilst the external materials would not match, the development would sit comfortably next to the existing building.

The extension to the main building proposed would extend its whole length but would be limited in projection and only single storey in height. The external materials would match the existing building. Whilst the extension would have a flat roof and be on the front of the building and so would be visible from Lenham Forstal Road, it would be viewed against the backdrop of the existing building and would not appear visually incongruous, particularly with the sedum roof proposed. The landscaping along the site frontage would also reduce the visual impact of this element of the proposal.

On the basis of the above, the development would not have a materially adverse impact on the character or appearance of the site or its rural surroundings, in compliance with Policies SP6, ENV3a and EMP3 and the NPPF.

## **Neighbour amenity**

Strategic Policies SP1 and SP6 promote high quality design that responds positively to its surroundings. Criterion c) of Policy EMP3 requires that there would be no significant impact on the amenities of any neighbouring residential occupiers. NPPF Paragraph 135(f) requires for development to achieve a high standard of amenity for existing users.

There are existing residential properties within the vicinity of the site including those to the west fronting Rose Lane and those to the south opposite the Lenham Forstal Road entrance to the site. There are existing dwellings to the north but over 200m from the site. However, the development proposed would extend an existing commercial building and provide a building for ancillary storage and not for any additional manufacturing processes or increased intensity of use. The new building would also not be closer to any existing residents within the immediate vicinity of the site than the existing building and/or external storage areas.

On this basis and given the separation distances to the nearest neighbouring properties, I am satisfied the proposed development would not result in any unacceptable impact to living conditions in terms of loss of daylight/sunlight, loss of outlook, loss of privacy or noise/disturbance. Whilst no acoustic assessment has been submitted to accompany the current application, unlike the previous application reference PA/2022/2719, ABC Environmental Protection have advised that they have no comments to make on the proposal and no conditions are recommended. Therefore, it can be concluded that the current proposal would not materially increase the level of noise generated by the authorised use of the site but a condition could be imposed if planning permission were to be granted imposing similar requirements in terms of noise levels as was the case with the previous application.

On the basis of the above, the proposal complies with Policies SP6 and EMP3 and the NPPF, in respect of neighbour amenity.

## **Highway safety and parking**

Policy TRA3b sets out the parking standards for certain commercial developments and Policy TRA6 states that at least 1 cycle storage space per 1000sq.m. for collection/delivery/shopping and 1 cycle storage space per 200m<sup>2</sup> for meetings/workplace would be required. Policy TRA7 relates to the impact of developments on the road network. Criterion d) of Policy EMP3 requires that it can be demonstrated that the development will not generate a type or amount of traffic that would be inappropriate to the rural road network that serves it. Paragraph 115 of the NPPF, at point b), requires that safe and suitable access to the site can be achieved for all users.

The existing 17no. parking spaces would be increased to 25no. plus 2no. disability spaces as part of the development proposed.

The addition of 10no. parking spaces would be sufficient to comply with Policy TRA3b for the additional floorspace proposed. The provision of 3 cycle parking spaces for the additional floorspace proposed would be required to comply with Policy TRA6. None is proposed but could be required by condition, if planning permission were to be granted.

There are already two existing accesses to the site and this would remain unchanged which would enable larger vehicles to access the site without being impeded or obstructed in any way by the proposed new development.

KCC Highways have advised that the proposed expansion of the main building is minor, and the proposed new building is relatively small in size, intended as ancillary to the main building operation which would create a low number of potential additional vehicle movements on top of the existing site floor area. As such, they have advised that the impact on the wider highway network is not considered problematic, that the proposed layout has adequate parking for the land use class and that there is ample manoeuvring and turning space for associated vehicles. No objections are, therefore, raised but conditions are recommended relating to a requirement for a Construction Management Plan as well as provision of the vehicle parking spaces and vehicle loading/unloading/turning facilities proposed. These conditions could be imposed if planning permission were to be granted.

Therefore, it can be concluded that the development would comply with Policies TRA7, EMP3, TRA3b and TRA6 and the NPPF, in respect of highway safety and parking.

## **Flooding and drainage**

Policies ENV6, ENV8 and ENV9 of the Local Plan are relevant to the assessment of the development in relation to foul and surface water drainage.

As part of the application, means of foul drainage is stated as being unknown and surface water drainage would be to an existing water course.

It is noted that Charing Parish Council has raised concerns regarding drainage issues relating to a previous application. This is subject to an enforcement investigation in relation to non-compliance with condition 13 of planning permission PA/2022/2719 which requires

details of the drainage for the site to be submitted to and approved in writing by the Local Planning Authority within three months of the occupation of the units in order to reduce the impact of the development on flooding and reduce surface water runoff in the locality.

Due to the apparent on-going drainage issues and the lack of drainage information provided as part of the application, it is recommended below that conditions are imposed relating to surface water drainage. Based on the internal layouts of the new building and the extension proposed, the development would not generate any additional foul drainage and therefore, no issues in relation to groundwater vulnerability / Source Protection Zones are raised.

## **Ecology and Bio-diversity Net Gain (BNG)**

Policies SP1 and ENV1 are relevant to the assessment of the proposal in relation to ecology and BNG. NPPF Paragraph 185 specifically refers to the protection and enhancement of biodiversity and Paragraph 186 states that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity. NPPF paragraph 187 states that planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 192 states that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.

As the development would be carried-out on land which is already hard surfaced, no issues in relation to ecology are raised, subject to the imposition of conditions to control the use of external lighting and requiring bio-diversity enhancements.

With respect to BNG, a de minimus exemption is claimed on the basis that the development does not impact a priority habitat, impacts less than 25sq.m. of on-site habitat and impacts less than 5m of on-site linear habitats as it would be located on existing hardstanding.

On the basis of the above, no concerns are raised in relation to ecology and BNG.

## **Conclusion**

The development proposed is acceptable in principle and would support an existing business. The impact on the character and appearance of the site would not be harmful and the amenity of local residents would not be materially harmed. No objections in relation to highway safety, parking drainage and ecology are raised. On this basis, subject to the imposition of conditions, the proposed complies with the relevant Local Plan Policies and the NPPF and so is recommended for approval.

## **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.

## **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:

<b>Description</b>	<b>Date</b>
Proposed Site Plan - 2022-789 (P)-004 Rev P01	18 December 2025
Proposed Plans and Elevations Main Building - 2022-789 (P)-1000 Rev P02	18 December 2025
Location Plan - 2022-789 (P)-001 Rev P01	18 December 2025
Proposed Layout and Usability Plan - 2022-789 (P)-005 Rev P01	18 December 2025
Proposed Plans and Elevations - 2022-789 (P)-1001 Rev P02	18 December 2025

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

- 3 The premises/site shall be used for Classes B2, B8 and E(g)(iii) industrial processes only and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 2005 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

Reason: To ensure the development is provided as specified in the proposal and to protect the amenity of the locality.

- 4 The storage building hereby permitted shall only be used for storage purposes ancillary to the use of the existing building within the application site and shall not be used for

any other purpose at any time.

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.

- 5 All plant and processes associated with the use of the site shall be limited to no more than 45dB LAr,Tr at the nearest noise sensitive receptors.

Reason: To protect the amenity of residents in the locality.

- 6 No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: Monday to Saturday 08:00 and 18:00 hours and not at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of residents within the locality.

- 7 Industrial processing shall only take place inside the main building as identified on the approved plans.

Reason: To protect the amenity of the locality.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no development shall be carried out within Class H, Part 7 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

Reason: In the interests of protecting the character and amenities of the locality.

- 9 There shall be no external storage on the site other than within the area shown on drawing number P(004) Rev P01. The height of any storage within that area shall not exceed 2 metres above ground level.

Reason: To enable the Local Planning Authority to regulate and control the proposed development in the interests of the amenity of the area.

- 10 The areas shown on drawing number P(004) Rev P01 as vehicle parking and turning and for loading/unloading shall be provided before the use of the storage building hereby approved is commenced, and shall be retained thereafter for the use of the occupiers of, and visitors to, the site, 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 space.

Reason: Development without provision of adequate accommodation for the parking, turning and loading/unloading of vehicles is likely to lead to parking inconvenient to other road users

- 11 No external lighting shall be installed at the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity of adjacent residents and to protect the character of the surrounding landscape.

- 12 No development above slab level shall take place until details of the drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage shall be installed in accordance with the approved details before the commencement of the use of the building hereby permitted.

Reason: In order to reduce the impact of the development on flooding and reduce surface water runoff in the locality.

- 13 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include the following:

- (a) Parking and turning areas for construction and delivery vehicles, which may require supporting vehicle tracking/swept paths.
- (b) Parking for site personnel,
- (c) Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction. Details should also be provided of contingency working protocol for action taken should the wheel washing be ineffective and spoil is dragged onto the highway.

Reason: In the interests of highway safety.

- 14 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.

- 15 No development above slab level shall take place until details of the landscaping scheme proposed have been submitted to and approved in writing by the Local Planning Authority. The details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the new building. If any trees or other plants which within a period of five years from the completion of the new building die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

- 16 Prior to any works above slab level, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the local planning authority. The plan shall include full details of biodiversity enhancements to be provided. The approved plan shall be implemented as described and retained thereafter.

Reason: To protect and enhance biodiversity.

**Informatives:**

- In accordance with paragraph 39 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

In this instance, the application was acceptable as submitted and no further assistance was required.

- **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.

- 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)