

Application No: 22/0100/FH (planning application) & 22/0147/FH (LBC)

Location of Site: Ingles Yard, Jointon Road, Folkestone, CT20 2RY

Development: 22/0100/FH – Demolition and part retention of curtilage listed building comprising a former cart store and grain store (retaining staddle stones, steps & cladding materials) and replacement with new veterinary surgery comprising replica grain store (utilising existing staddle stones, steps & cladding material).

22/0147/FH – Listed Building Consent for the demolition and part retention of curtilage listed building comprising former cart store and grain store (retaining staddle stones, steps & cladding materials) and replacement with new veterinary surgery comprising replica grain store (utilising existing staddle stones, steps & cladding materials).

Applicant: Mr Danny Brook

Agent: Mr Chris Muspratt

Officer Contact: Katy Claw

SUMMARY

This report covers both the planning application and application for listed building consent for the erection of a new veterinary surgery within land at Ingles Manor.

The development would involve the part demolition and part retention of a curtilage listed former cart store and granary, the construction of a new flat-roofed single storey extension to the north and a 1.5-storey extension to the south. The development would result in a new veterinary surgery with reception/waiting area, consulting rooms, administrative offices treatment & theatre rooms at ground floor with staff areas at first floor.

The application includes the reconstruction of the granary building in replica, with the intention of salvaging and re-using original materials.

RECOMMENDATION:

That planning permission and listed building consent be granted subject to the conditions set out at the end of the report and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary.

1. INTRODUCTION

1.1. The application is reported to Committee because the applicant is a Folkestone & Hythe District Council Councillor.

2. SITE AND SURROUNDINGS

2.1. The application site is located off Jointon Road and comprises a cart store & granary, both curtilage listed due to their association with Ingles Manor, a Grade II Listed Building which was originally a farmhouse.

2.2. The curtilage listed buildings subject of this application would have originally been used as on of a number of farm buildings serving the main house. There are other remaining buildings within the remnants of the wider Ingles Yard site, outside the application site.

2.3. The surrounding area comprises mainly residential development, including the recently built houses on the former garden centre land to the north of the site, under reference Y17/0710/SH. To the immediate south lies 'Palting House', used for commercial and government purposes, and the Civic Centre. To the west lies Ingles Manor itself, originally a farmhouse but currently used as office space. Beyond Ingles Manor to the east is a further residential development constructed under phase 1 of the larger residential development for the former garden centre.

2.4. The site is located within the Folkestone Leas & Bayle Conservation Area, an area of Archaeological Protection and there are numerous trees on the southern border with the Civic Centre car park which are covered by Tree Preservation Order No.01 of 1971 as indicated on the extract below.



Fig.1 Extent of conservation area and TPO trees

2.5. A site location plan is attached to this report as **Appendix 1**.

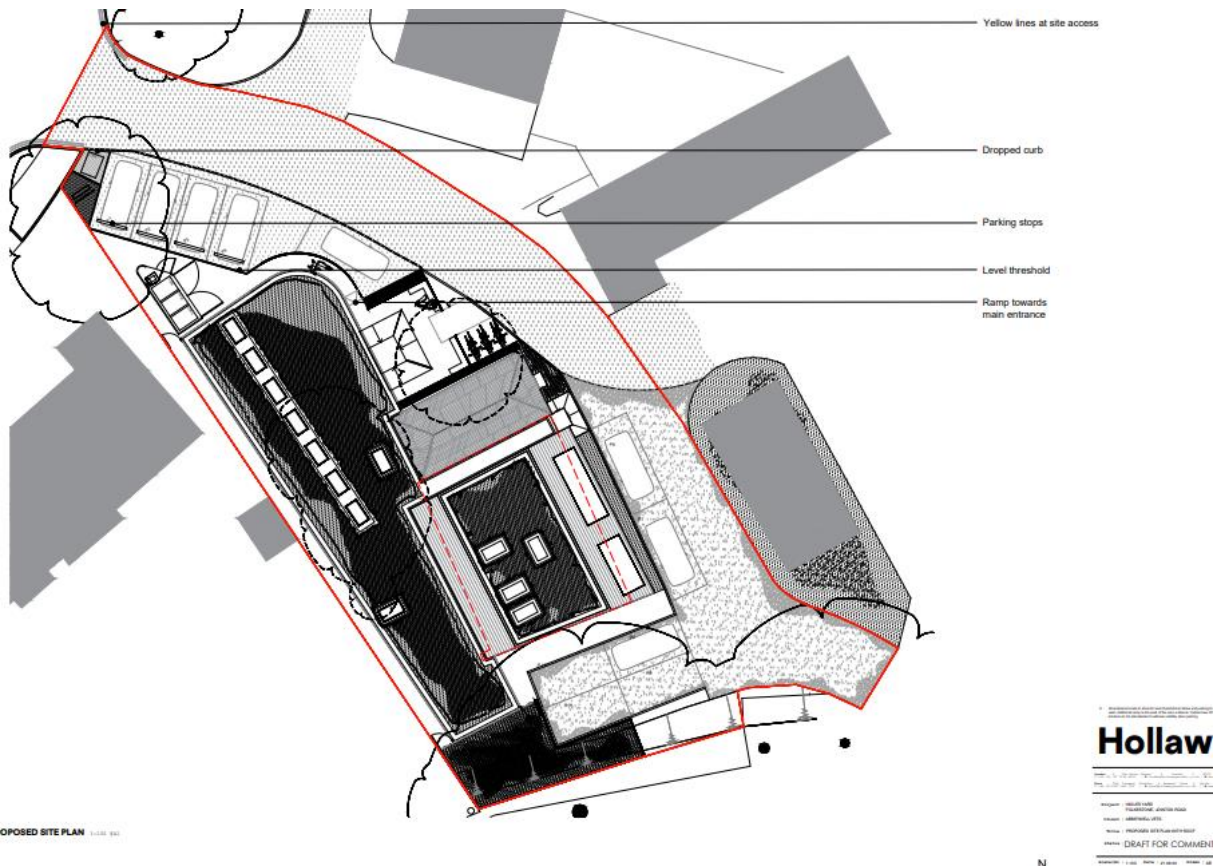


Fig.2 showing a block plan of the application site in red with the access at Jointon Road To the north. This shows the parking provision layout and the roof of the proposed building.



Fig.3 Front (west) elevation. Cart store (in foreground) with Granary building

attached. Entrance to site from Jinton Road in the background to the right of the photo.



Fig 4. Rear (east) elevation. Cart store (in foreground) with Granary building attached.



Fig 5 & 6 . West boundary wall with No.1 Jinton Road in background. Trees proposed to be removed (not subject to TPO).



Fig 7. Cart store & Granary to left of photo. Other curtilage listed buildings within Ingles Yard to right of photo with new housing development in background. (Former Garden Centre site). Trees in the background to remain with a new hedgerow to be planted facing the west boundary, as set out on page 23 of the DAS.



Fig 8. Entrance to Ingles Yard site from Jointon Road. New housing development to left and boundary fence/trees to right. Existing curtilage listed buildings outside the application site are shown in the background. The curtilage listed buildings subject of these applications are not readily apparent from the public highway during summer due to tree canopy.



Fig . 9 Photo taken in a similar position during winter months showing the granary the subject of these applications.

3. PROPOSAL

- 3.1 Planning permission and Listed Building Consent are sought for demolition and part retention of curtilage listed buildings comprising a former cart store and grain store (retaining staddle stones, steps and cladding materials) and the erection of a veterinary surgery comprising replica grain store (utilising existing staddle stones, steps & cladding materials).
- 3.2 The development would provide a reception area, cat & dog waiting areas, consulting rooms, operation rooms, treatment & preparation rooms, and rehabilitation kennels as well as staff rooms.
- 3.3 There are three elements to the proposal, the first being the formation of a replica grain store (serving as a waiting room), which would include the re-use of original, salvaged materials where possible, following the demolition works.
- 3.4 The second element proposes a 1.5-storey building with rooms in the roof, served by rooflights. This element would include retaining the southern ragstone wall and reusing the central ragstone spine wall to create external walls. This element would be clad in black weatherboarding.
- 3.5 The third element proposes a flat-roofed single storey addition which spans north to south, along the western boundary. This building would be the largest element in terms of ground floor area and this would link together with the replica grain store and the

1.5-storey element. The flat-roof on both the single-storey and 1.5 storey would be a 'green' roof and incorporate a number of rooflights in each.

- 3.6 Externally the site would provide visitor and staff parking provision shown as 10 individual spaces marked out on the proposed block plan, 4 spaces to the north, 4 spaces to the south and 2 spaces to the front of the building. A refuse area is shown to the north side of the building, all depicted on the drawing below.

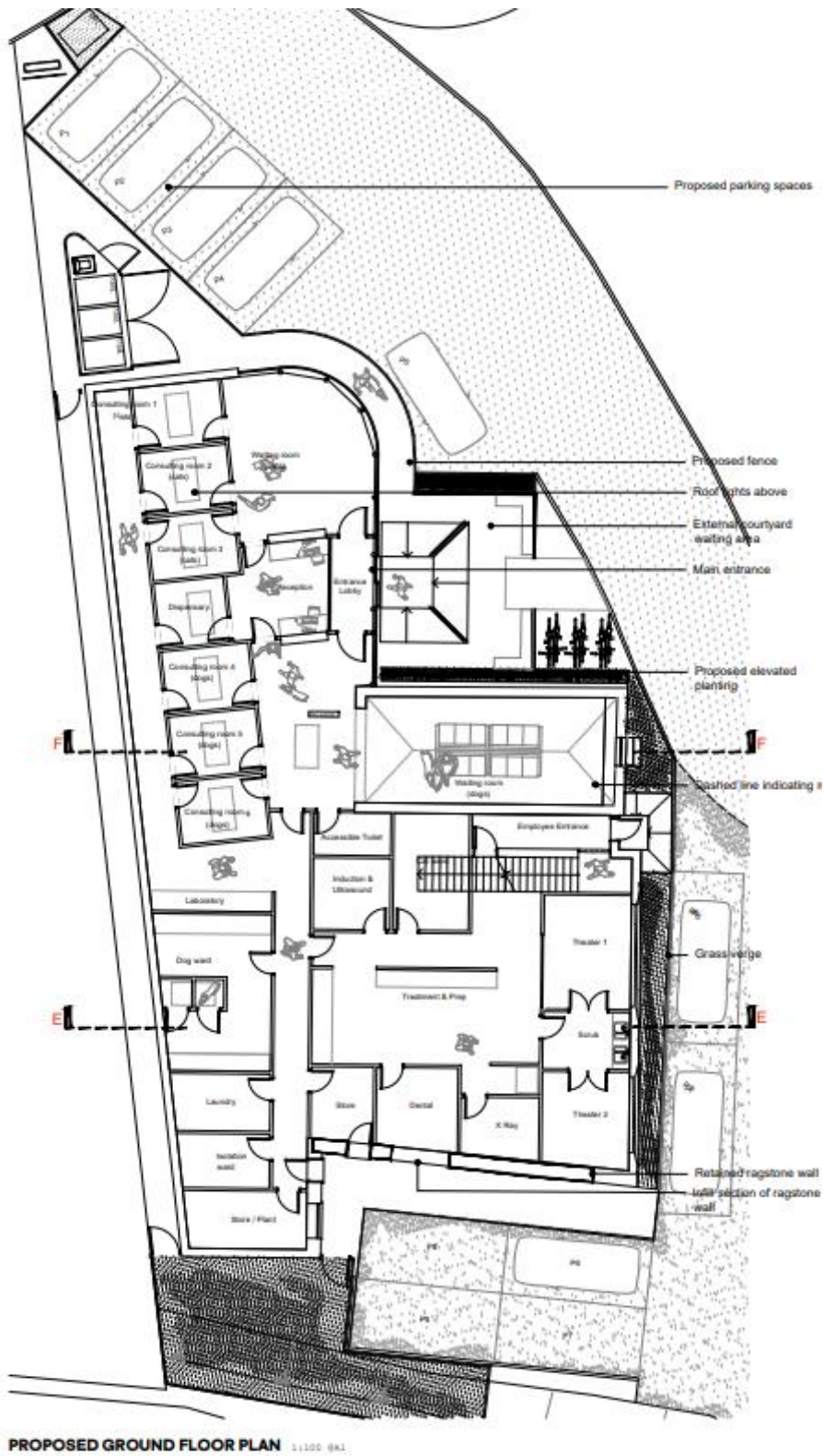


Fig.10 – block plan showing ground floor and proposed parking

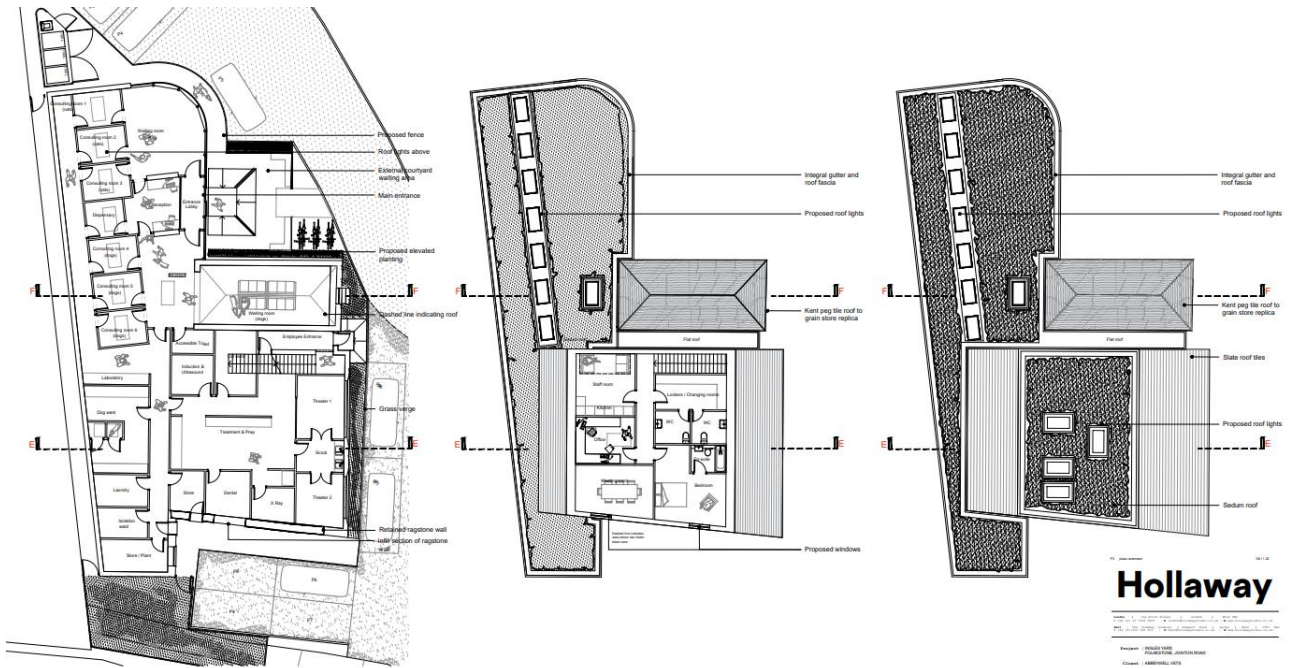


Fig.11 Proposed floor and roof plans.

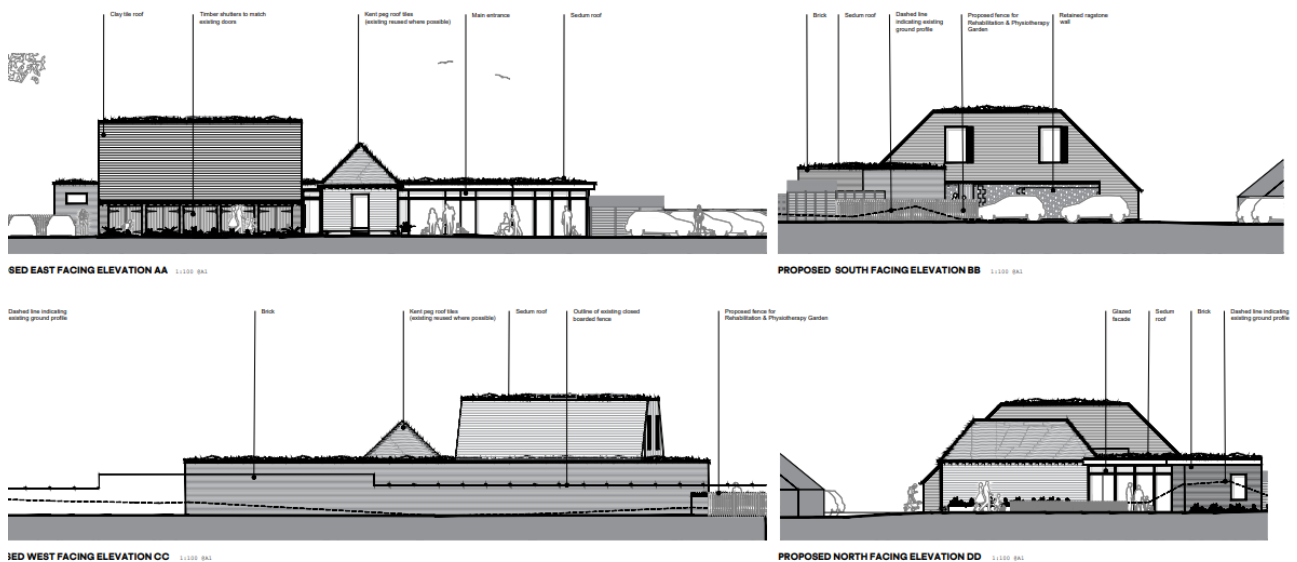


Fig.12 Proposed elevations. Replica granary with pitched roof shown in the centre of the east facing elevation (top left).

3.7 The following reports were submitted by the applicant in support of the proposals:

Design and Access Statement (February 2022)

3.8 This statement provides a site analysis, design development and it sets out in detail the review of the scheme from initial stages to final concept. It also covers aspects relating to use & amount, design, layout, scale & appearance/landscaping. The report includes history of the site and illustrative images/ photos.

Heritage Statement (July 2021)

- 3.9 This document covers the curtilage listed buildings and their history in more depth, including historic maps and photos of the site and buildings. The report covers the significance of the buildings, referring to national and local planning policy guidance.

Transport Statement

- 3.10 This statement covers the different modes of transport that may be used when visiting the site, it also covers collision data taken over the last 3 years and includes pre-application advice from KCC Highways and Transport department. The report concludes that the proposal is in line with local and national transport policies.

Archaeological Desk Based Assessment

- 3.11 This statement sets out the archaeological significance of the site and its surroundings, including an assessment of historic data and images. The report concludes that a more-detailed impact assessment could be carried out and that a watching brief might be conditioned if the development receives planning approval.

Ecological Appraisal (September 2021)

- 3.12 This report surveys the site, the buildings and the trees for wildlife. It identifies that bats are present within the site as part of their foraging route but none were found roosting in the curtilage listed buildings. It also identifies that there are suitable nesting areas for birds in and around the site.
- 3.13 The report concludes that the impact on foraging bats would be negligible and provides suggestions for ecological enhancements.

Structural Survey (dated 26 August 2022)

- 3.14 This is a basic report which in part covers the current state of the curtilage listed buildings but the report only covers the external facades due to items currently being stored inside and the presence of ivy growing on the outside, both of which limited full access/assessment. The report concludes that a full overhaul would be required to the structural fabric of the building, but that it may be uneconomical to do so.

Structural Appraisal (dated 23 January 2023)

- 3.15 This is a 7-page report which sets out in further detail the current of the outbuildings subject of this application. The report summarises that given the general integrity of the buildings and the lack of any effective lateral and longitudinal stability they consider the existing structure to be unfit for purpose and should be categorised as being severely compromised. Should the building be considered for incorporation within the proposed development scheme than extensive major reconstruction works, sectional demolition and rebuilding would need to be undertaken in order to restore both the structural integrity and overall stability of the building. This would also include the incorporation and construction of new foundations.

4. RELEVANT PLANNING HISTORY

4.1 There is no planning history relating directly to the two buildings on site, but the following applications are all relevant when considering the wider site, streetscene and the setting of these curtilage listed buildings.

91/0537/SH	Ingles Yard - Enlargement of existing access	Approved with conditions
96/0778/SH	Ingles Manor - Listed Building Consent for the siting of three mobile office units.	Approved with conditions
96/0777/SH	Ingles Manor – Siting of three mobile office units.	Approved with conditions
97/0275/SH	Ingles Cottage – Retention of use of the cottage as office accommodation	Approved with conditions
Y01/1163/SH	Land adjacent Ingles Manor - Erection of a business centre to include three detached office buildings and associated parking and landscaping.	Approved with conditions
Y02/0929/SH	The Barn, Ingles Manor – Listed building consent for demolition of existing building.	Approved with conditions
Y17/0710/SH	Ingles Meadow Garden Centre - Full planning application for the erection of 40no. dwellings with associated access, parking, landscaping and open space.	Approved with conditions

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

FHDC Environmental Health Officer: No objection subject to conditions in respect of opening hours and details of any extraction plant.

Folkestone Town Council: No objection but make the following comment:

- lack of clear information.
- Proposal looks very modern and out of character to the surrounding area.

KCC Highways and Transportation: No objection but make the following comment:

- No concern with regards to volume / movement of traffic in relation to impact on the wider highway network.
- Overspill parking cannot be presumed to be available on the highway due to proximity of railway station and town centre.
- Site is well located for bus and train access for staff.
- Satisfied that parking provision is sufficient.
- Dropped kerb is required to assist with kerb side refuse collections.
- A set of corner protection double yellow lines are required on Jointon Road either side of the access track into Ingles Yard.

KCC Ecology: No objection subject to ecological enhancements and conditions

Natural England: No Comments

Southern Water: No objections raised subject to conditions.

KCC Archaeology: No objections subject to condition as set out below.

The site lies within an area of multi-period archaeological potential. The re-built granary should seek to reproduce the timber framing so that it can be appreciated internally, using as much of the historic fabric as possible. The groundworks should be subject of an archaeological watching brief.

Arboricultural Manager: No objections to the development or loss of the small self-set Sycamore tree.

Historic England: Initial comments received raised concerns with regards to lack of supporting information on the structural integrity of the buildings. Following the receipt of the first Structural Survey (August 2022), Historic England set out that it would be desirable to retain the existing buildings in order to minimise harm to the significance of the listed manor house, and that further information should be submitted regarding the structural integrity of the buildings. They did though consider that the harm to the listed building resulting from the loss of the cart store and granary would be “at the low end of the range of less than substantial”.

DCL/22/57

A second Structural Report was submitted January 2023 and following further consultation, Historic England again concluded that the proposal to demolish both buildings would give rise to a low level of less than substantial harm. No comments on the content of the structural survey were provided, other than that it conflicted with the information previously submitted. Historic England requests that if it is concluded that the historic buildings cannot be retained and repaired, a condition recommending heritage interpretation and building recording should be attached to any permission granted.

Local Residents Comments

5.2 13 neighbours directly consulted. 2 letters of objection, 0 letters of support received and 1 letter neither supporting nor objecting to the application.

5.3 I have read all the letters received. The key issues are summarised below:

Objections

- Demolition and part retention of the granary
- Cart shed is over-dominant and results in loss of heritage
- Inaccurate documentation
- Practice should be built elsewhere on the Ingles Yard site
- Lack of privacy
- Noise
- Car parking / traffic issues / safety

General Comments

- No overlooking to direct neighbour
- Unsure of finished height or position of structures / excavation works
- Support green roof
- Restrictions on use are not clear
- Overgrown trees on site may be a hazard

5.4 Responses are available in full on the planning file on the Council's website:

<https://searchplanapps.folkestone-hythe.gov.uk/online-applications/>

6. RELEVANT PLANNING POLICY

6.1 The Development Plan comprises the Places and Policies Local Plan 2020 and the Core Strategy Local Plan 2013.

6.2 The Folkestone & Hythe District Core Strategy Review 2020.

6.3 The relevant development plan policies are as follows:-

Places and Policies Local Plan 2020

UA5	Ingles Manor [Site allocation policy]
HB1	Quality places through design
HB2	Cohesive Design
T2	Parking Standards
T5	Cycle Parking
NE2	Biodiversity
NE5	Light Pollution and External Illumination
RL8	Development Outside Town, District and Local Centres
NE7	Contaminated Land
CC2	Sustainable Design and Construction
HE1	Heritage Assets
HE2	Archaeology

Core Strategy Local Plan (2020)

SS1	District Spatial Strategy
SS3	Place Shaping and Sustainable Settlements Strategy
SS4	Priority Centres of Activity Strategy
CSD4	Green Infrastructure of Natural Networks, Open Spaces & Recreation
CSD5	Water and Coastal Environmental Management in Shepway
CSD6	Central Folkestone Strategy

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

Government Advice

National Planning Policy Framework (NPPF) 2021

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:-

Paragraph 11 - Presumption in favour of sustainable development.

Paragraph 47 - Applications for planning permission be determined in accordance with the development plan.

Paragraph 81 – Building a strong, competitive economy

Paragraphs 104-108 Transport and Access

Paragraphs 126-132 – Achieving well-designed places

Paragraph 183 – Ground conditions and pollution

Paragraphs 189, 194-197, 199, 200, 202, 204-208 – Conserving and enhancing the historic environment

National Planning Policy Guidance (NPPG)

Design: process and tools

Historic environment

Natural environment

National Design Guide October 2019

C1 - Understand and relate well to the site, its local and wider context

C2 – Value heritage, local history and culture

I2 - Well-designed, high-quality and attractive

N3 - Support rich and varied biodiversity

7. APPRAISAL

7.1 In light of the above the main issues for consideration are:

- a) Principle of development and sustainability
- b) Impact on the significance of Ingles Manor and the curtilage listed buildings
- c) Design/layout/visual amenity/conservation area/setting of the listed building
- d) Residential amenity
- e) Ecology and biodiversity
- f) Protected trees
- g) Archaeology
- h) Highway safety
- i) Other matters

a) Principle of development and sustainability

- 7.2 The site is located within the settlement of Folkestone, in an area with a mix of existing commercial and residential uses. The wider site is allocated for housing and commercial uses and the proposed development would be compatible with this. The proposed use is considered acceptable as a matter of principle.
- 7.3 Policy UA5 of the PPLP states that the curtilage listed buildings within the site, which includes the buildings the subject of this application, should be preserved or enhanced as part of the development of the wider site. Whilst the wording of this policy is noted, this does not preclude the approach taken here. The appropriate means of assessing the impact of the proposed development on the listed building and curtilage listed buildings, notwithstanding the wording of Policy UA5, is set out below.

b) Impact upon the significance of Ingles Manor and the curtilage listed buildings

- 7.4 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Local Planning Authority, when making planning decisions, to have special regard to the desirability of preserving a listed building and its setting. Government guidance in the form of the NPPF and NPPG set out how it is expected that Local Planning Authorities will assess applications relating to designated heritage assets. Policy HE1 of the PPLP sets out in broad terms that the Council will grant permission for development which promote an appropriate and viable use of designated heritage assets.
- 7.5 The starting point here is to assess the significance of the buildings themselves and as part of the setting of the principal listed building at the site. Following on from this, an assessment must be made as to whether the proposed development would harm the significance any significance identified, and whether this amounts to substantial or less than substantial harm, as required by the NPPF. Finally, if harm arises from the development proposed, whether this is outweighed by public benefits arising from the proposed development.

Significance

- 7.6 The application site forms part of the wider historic farmstead of Ingles Manor, a Grade II Listed Building, which sits approximately 31m northeast of the application site. Together with the remaining curtilage listed buildings in the immediate vicinity of the application site, they are all single-storey and served as agricultural buildings, ancillary to the manor house.
- 7.7 In this case the granary and cart store derive their significance from their relationship with the main manor building .
- 7.8 The wider farmstead, which the application site historically formed part of, has been substantially developed over time with:
- the 'Folkestone Garden Centre',
 - the Civic Centre and Job Centre to the southeast and south, respectively.
 - commercial development to the east of the site on the site of a former barn

- substantial residential development (with approval of commercial development on the undeveloped land to the south east of the manor house).

7.9 The site is also allocated for development in the adopted Local Plan. Having regard to the above, it is clear that the wider setting of the listed building has been substantially degraded and its heritage significance is accordingly significantly reduced.

7.10 The remaining Ingles Yard site (including the site of these applications and the adjacent buildings) does still contain a number of historic structures. These structures are low level, in various states of repair and are now used for commercial purposes. The group value of these buildings has been eroded by the encroachment of modern development.

7.11 In this regard the historic significance of the site has been significantly reduced.

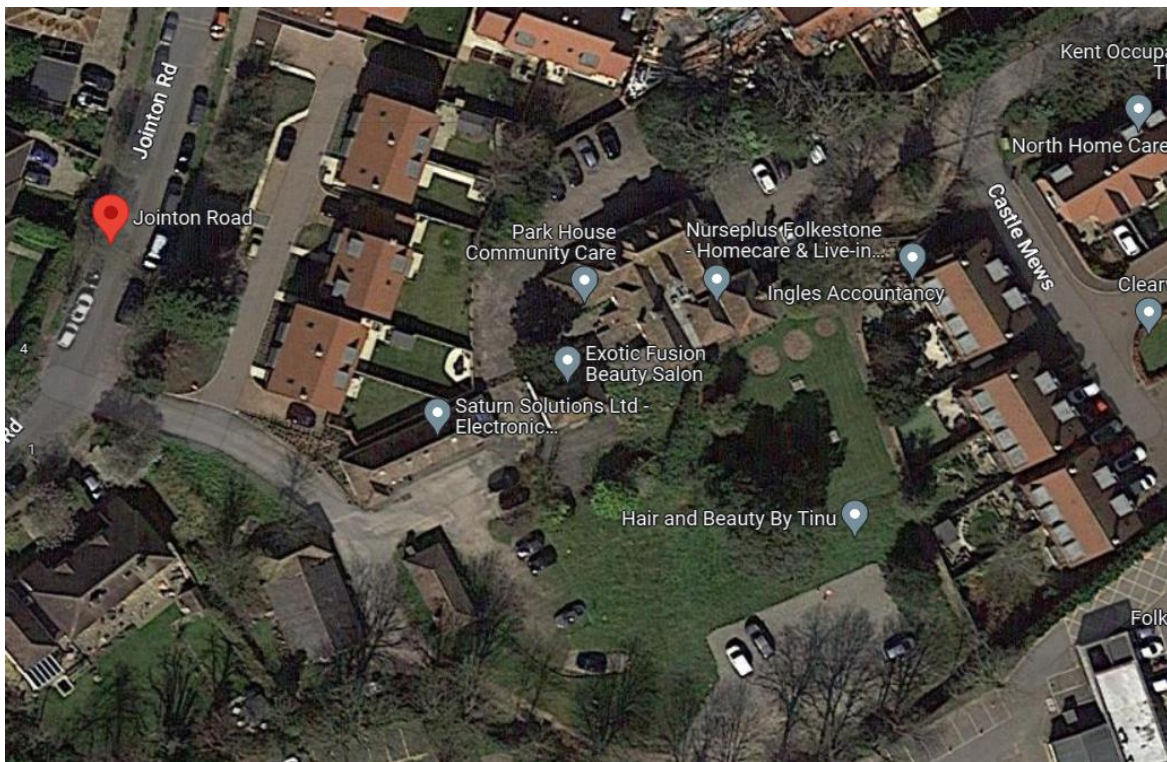


Fig.13 Aerial photograph showing development of the wider site

7.12 The significance of the buildings, subject of these applications, was previously derived from the relationship with the listed manor house and listed barn (now demolished after its destruction by a fire in the early 2000s) and is now derived solely from the relationship with the listed manor house and in their traditional means of construction, design and materials. Importantly, they are curtilage listed and whilst of some merit, are not so significant in historical or architectural terms to warrant listing in their own right.

7.13 Of the two buildings proposed to be demolished, the former cart store is of limited significance. It is of makeshift construction, with sawn timber extensively used for the roof and is propped up on a pre-existing boundary wall with the rear wall being otherwise constructed of boarding.

- 7.14 The former granary building is of more significance – dating from the 18th century, it is of timber construction, although the northern roof timbers have been replaced over time and are no longer original. Any internal plasterwork has been removed and the walls of the building now amount to the timber frame and weatherboarding only. The roof is tiled with Kent pegs. The building is partially collapsed due to a number of the staddle stones on which it sat being missing. It is in a poor condition.
- 7.15 In conclusion, the wider site has been extensively developed, with further commercial development having been granted permission, and allocated for further development, including commercial development close to the application site. The setting of the listed building is therefore considered to be compromised and the farm buildings the subject of this application are read in the context both of the listed manor but also in the context of the modern development in the vicinity, including the existing housing and public buildings to the south. The buildings are not listed in their own right, are small in scale and whilst the granary is of some merit, contributing in a limited way to the historic interest of the listed manor and wider site, the cart store is not. Overall, the significance of the buildings and application site is modest.

Harm

- 7.16 The proposed development would result in the loss of the cart store (although the wall to the rear would be retained) and the demolition and rebuilding of the granary. As the significance of the buildings and their contribution to the significance of the manor house is considered to be modest, the impact of their loss would also be modest. The loss of both buildings would, in the opinion of Historic England, give rise to a low level of less than substantial harm. This is considered to be an accurate assessment.
- 7.17 Having regard to the above, and the assessment of significance of the buildings, whilst the retention of the former granary is desirable, the submitted information, (including the structural information and heritage statement), make clear that a significant element of the original historic fabric of the building has already been replaced or lost entirely, and that the building is in such a condition that its retention for any purpose, but in particular for any viable use, would necessitate significant reconstruction, such that any historic interest would in any case be lost. This is considered to reduce the level of harm arising from the loss of the buildings accordingly.

Public Benefit

- 7.18 The NPPF sets out that, where less than substantial harm would arise, this has to be weighed against the public benefits of any scheme. In this case, the public benefits include that the use would contribute to the provision of employment floorspace within the district and would provide a service for the local community. In addition, Historic England identify that a condition in relation to heritage interpretation with regards the granary, cart store and the wider site would amount to a public benefit weighing in favour of approval. A condition requiring this is recommended below.
- 7.19 Having regard to the less than substantial harm arising from the loss of the buildings, it is considered that the public benefits set out above are sufficient to outweigh the impact on the significance of Ingles manor.

c) **Design/Layout/Visual Amenity/Conservation Area/setting of the listed building**

- 7.20 The proposal is for the complete demolition of the existing cart store and the redevelopment of the site with a new contemporary building, and re-build of the granary, to form a new vets practice. The orientation of the building has been determined by the position of the existing outbuildings and access to the street, which would serve the new business.
- 7.21 Amendments have been made to the design and appearance of the development in order to address initial concerns regarding visual bulk. The first-floor front (east) dormers have now been removed and the height of the eaves reduced. This, alongside the creation of a cat-slide roof, has successfully reduced its visual prominence, particularly from the front elevation. Further, the proposed 1.5 storey addition has been reduced in height by approximately 0.4m, from a maximum height of 6.9m down to 6.5m. This further assists in improving the development's overall visual presence from within, and outside the site.
- 7.22 Flat-roofed development is not a prevalent design feature in this location but the proposed design, when combined with the proposed finished materials (comprising of dark cladding as often found on rural Kentish barns/farmsteads, including the current Granary building to be reproduced in replica), together with more modern details such as the glazed link between the replica granary and 1.5 storey addition, would result in an acceptable contemporary appearance. This combined with the incorporated and retained historic elements from the original structure ensures that the development is both sensitive and sympathetic to its surroundings and to the history of the site. It enables the development to sit comfortably within the site, which has (over time) become a mix of old and new developments and will, if approved, become part of the site's history.
- 7.23 The use of a green roof across much of the flat-roofed area would assist in softening the appearance of the building and is supported. Policy HB8 PPLP also encourages the use of green roofs.
- 7.24 The wider Conservation Area setting includes the application site and the wider Ingles Yard land, including the Listed Building. The loss of the granary and cart store would not have a significant impact on the special character of the conservation area, and the rebuilding of the granary would mitigate any limited harm in this respect.
- 7.25 The siting of the building is such that views from across the wider Conservation Area would not be disrupted and so would not adversely impact upon the character of the area. The use of high-quality materials in the overall build would also assist in preserving the character of the Conservation Area, retaining an element of tradition within an otherwise contemporary and modern newbuild. The application site is considered sufficiently sized to accommodate the new development.
- 7.26 The design approach has been reached through the need for the development to be both practical and functional, and which would retain a degree of history to the site. The latter would come about in the form of the replica granary store, reflecting the historic interest of the site.

- 7.27 It is considered that the internal layout of the proposed veterinary practice would provide sufficient accommodation. Part of the first-floor accommodation would become a dedicated space for a member of staff to stay overnight in order for a level of care to be provided outside normal working hours. The layout of this area would provide a single room with en-suite which would be used for temporary overnight staff accommodation. The use of this area could be restricted by condition.
- 7.28 Whilst curtilage listed structures would be lost as part of this development, parts of the historic fabric and character would remain evident in the form of the replica grain store which would be constructed using salvaged materials and historically accurate construction methods. The proposed surrounding contemporary building works would ensure that there is a differentiation between old and new.
- 7.29 The layout of development would give rise to the loss of a limited area of soft landscaping. However – this is not considered to be significantly harmful in the context of the surrounding development.
- 7.30 In terms of the impact of the development on the setting of the listed building, this is considered acceptable. As set out above, the design is considered to be appropriate, and the reconstruction of the granary building would provide historic context to the building. Notwithstanding this, the setting of the listed building has been significantly compromised by existing development, such that in this context, the proposed building would contribute positively to the surrounding built development.
- 7.31 In conclusion, it is considered that the proposal amounts to a high quality design which would add an interesting element to the site, and immediate street scene, would have preserve or enhance the special character of the conservation area, and which would not give rise in itself to harm to the setting of the listed Ingles Manor. The proposed vets practice can be appropriately accommodated on the site and it is therefore considered to accord with policy HB1 of the Local Plan and section 12 of the NPPF.

d) Residential Amenity

- 7.32 The proposed development would be a sufficient distance from the nearest dwelling to not give rise to harm to residential amenity by virtue of overlooking, loss of outlook or being overbearing.
- 7.33 The use of the site for veterinary purposes is unlikely to generate noise levels that result in harm to neighbours of the site. The occasional barking animal during operational hours would not be materially harmful and the kennels are contained within the walls of the host building. It is common for veterinary surgeries to be accommodated within built-up residential/urban areas without harm, and it is notable that the Council's Environmental Health Officer does not raise objection in this regard. The development would be located within a wider site which is characterised by its use for commercial purposes. In that regard the use of the site is not objectionable on grounds of residential amenity.
- 7.34 Whilst the proposal would increase vehicle trips to and from the site which may increase ambient noise levels, combined with the hours of operation required by

environmental health I do not consider that the proposal would cause harm by means of increased noise.

- 7.35 Having regard to the above, it is not considered that the proposed development would give rise to harm to residential amenity.

e) Ecology & Biodiversity

- 7.36 Members will note that KCC Ecology do not raise objection and have requested a Bat Sensitive External Lighting Scheme be secured by condition, as well as a precautionary mitigation method with regards to reptiles and breeding birds. They have also requested an Enhancement Plan be secured by condition. It would also be appropriate to highlight the potential of nesting birds to the applicant and this can be done by use of a suitably worded informative attached to any planning approval.

f) Impact on protected trees

- 7.37 The position of the proposed building would result in the loss of self-seeded trees on the western boundary (as shown in the site photos above). The site lies within a Conservation Area but notwithstanding this, there is no objection to their loss as they offer little amenity value to the wider area, and Members will note that the Council's Arboricultural Officer does not object to the proposals. Given the confines of the site it would not be appropriate to condition replacement trees but low-level landscaping, bird/bat boxes and the green roofs can be secured by condition, in the interests of biodiversity.
- 7.38 The existing trees to the entrance of the site are shown to be retained as part of this proposal, however a condition requiring tree protection measures is recommended.

g) Archaeology

- 7.39 KCC Archaeology has raised no objection to the contents of the support archaeological report and has requested that a watching brief be secured by condition.
- 7.40 I am satisfied subject to conditions requested by KCC that the proposal would not result in harm to archaeological features.

h) Highway Safety

- 7.41 KCC Highways and Transportation raise no objection, having regard to the submitted transport assessment, proposed parking and access arrangements and the sustainable location of the site in relation to public transport. Vehicle movements associated with the use are likely to be low, amounting to a total of 8 movements per hour, excluding deliveries and staff arrivals/departures.
- 7.42 KCC Highways and Transportation do recommend a condition requiring the provision of parking restrictions at the access of the site onto Jinton Road. This is recommended below.

7.43 The proposed cycle parking as shown on the approved plans is recommended to be secured by condition.

7.44 In light of the above, subject to conditions, I am satisfied that the proposal would not result in harm to highway safety.

i) Other Matters

7.45 A condition are recommended to be imposed in respect of drainage details.

Environmental Impact Assessment

In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

Local Finance Considerations

7.46 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy. There is no CIL requirement for this development.

7.47 In accordance with policy SS5 of the Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. This application is not liable for the CIL charge.

Human Rights

7.48 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

Public Sector Equality Duty

7.49 In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

Working with the applicant

7.52 In accordance with paragraphs 38 of the NPPF, Folkestone and Hythe District Council (F&HDC) takes a positive and creative approach to development proposals focused on solutions. F&HDC works with applicants/agents in a positive and creative manner.

8. CONCLUSION

8.1 The proposal seeks planning permission and Listed Building Consent for the demolition of the existing outbuilding structure, replica re-build of the granary structure and redevelopment of the site to provide a new veterinary practice. While objections to the proposals are noted, the scheme is considered to be acceptable in terms of design, layout, materials, impact on the Conservation Area and impact on the significance of the heritage asset, including setting of the Grade II Listed Ingles Manor as well as in regard to amenity impacts, highway safety, ecology and site drainage.

8.2 In light of the above, it is considered that the proposal accords with the adopted Development Plan subject to appropriate conditions. As such it is recommended that planning permission and Listed Building Consent be granted, subject to the conditions as set out below (subject to the Chief Planning Officer's delegated authority to agree and finalise the wording of the conditions and add any other conditions that he considers necessary).

9. BACKGROUND DOCUMENTS

9.1 The consultation responses set out at Section 5.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

10. RECOMMENDATIONS

That planning permission be granted subject to the following conditions and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary.

Conditions:

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1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason:

In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in accordance with the details shown on the submitted drawings:

Site Location Plan – 001 – 19.01.2022

Proposed Block Plan – 002 P1 – 19.01.2022

Proposed Sections & Elevations – 007 P3 – 11.11.2022

Proposed Floor Plans – 006 P3 – 11.11.2022

Proposed Site Plan with Roof Plan – 005 P2 – 11.11.2022

Heritage Statement – 19.01.2022

Transport Statement – 19.01.2022

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development

3. No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

To ensure the satisfactory appearance of the completed development in the interests of visual amenity, in the interests of preserving the setting of the listed building and preserving or enhancing the special character of the Conservation Area..

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4. No development beyond the construction of foundations shall take place until detailed drawings at a suggested scale of 1:5 of all new external and internal joinery work and fittings together with sections through glazing bars, frames and mouldings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure the satisfactory appearance of the completed development in the interests of visual amenity, in the interests of preserving the setting of the listed building and preserving or enhancing the special character of the Conservation Area..

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5. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that groundworks are observed, and items of interest and finds are recorded. The watching brief shall be in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that features of archaeological interest are properly examined and recorded.

6. The roots of the trees to the north of the application site, shown retained on page 23 of the submitted Design & Access Statement shall be protected by suitable fencing of a height not less than 1.2m at a distance as specified in Table 1 or Figure 2 of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction' before any equipment, machinery or materials are brought on to the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Nothing shall be stored or placed, nor fires lit, within any of the area fenced in accordance with this condition and the ground levels within those area shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To safeguard the existing trees and to ensure a satisfactory setting and external appearance to the development and wider streetscene.

7. Prior to the first use of the development hereby approved, the secure bicycle storage spaces as shown on the approved plans shall be provided and made available for use.

Reason:

To ensure the provision and retention of adequate off street parking facilities for bicycles in the interests of highway safety and to encourage the use of sustainable modes of transport

8. The vehicle parking spaces as shown on the approved plans shall be provided and kept available for parking purposes in connection with the approved development prior to the first use of the development hereby approved, and at all times thereafter.

Reason:

In the interest

9. Facilities for the storage of refuse and recycling shall be provided in accordance with the approved plans. These facilities shall be provided prior to the first use of the development hereby approved and shall be maintained and retained thereafter.

Reason:

In the interests of visual and residential amenity and highway safety and convenience..

10. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

The Plan shall include the following:

- a) Parking and turning areas for construction and delivery vehicles and site personnel
- b) Timing of deliveries
- c) Provision of wheel washing facilities
- d) Temporary traffic management / signage

Reason:

In the interests of highway safety and residential amenity

11. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours

Saturdays 0800 – 1300 hours

unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason:

In the interests of residential amenity.

12. No development shall take place until parking restrictions are in place at the junction of the access road with Jointon Road, extending 10 metres to the north and south of the junction.

Reason:

In the interests of highway safety and convenience.

13. No development above slab level shall take place until a lighting plan has been submitted to the Local Planning Authority for written approval demonstrating that the external lighting will not negatively impact foraging/commuting bats. The lighting plan must follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals.

Reason:

In the interests of biodiversity and ecology

14. No development above slab level shall take place until an ecological enhancement plan has been submitted to the Local Planning Authority for written approval. It must demonstrate that the ecological enhancement recommendations within Ecological Appraisal (Greenspace Solutions;

September 2022) will be implemented. The plan must be implemented as approved.

Reason:

In the interests of biodiversity and ecology

15. No dust or fume extraction or filtration equipment, or air conditioning, heating or ventilation equipment shall be installed until full details of its design, siting, discharge points and predicted acoustic performance have been submitted to and approved by the Local Planning Authority.

Reason:

In the interests of residential amenity.

16. The staff overnight accommodation space as shown on the approved plans listed under condition 2 above, shall remain ancillary to the operation of the business and shall at no time be converted to, used, rented, as a self-contained permanent unit of accommodation.

Reason:

In accordance with the terms of the application and as use a separate dwelling would amount to the creation of a substandard residential unit.

17. The replica granary building shall be constructed, in so far as is practicable and feasible, of materials salvaged from the original granary building which it is set to replace.

Details in the form of a written statement of works, shall be submitted to and approved in writing by the local planning authority, setting out how the demolition works will be undertaken and how materials will be salvaged, where these salvaged materials will be stored and how they will be re-used. The statement should also set out a method of construction and craftsmanship techniques so as to ensure that the replica building is constructed sensitively.

Reason:

To ensure the satisfactory appearance of the completed development in the interests of visual amenity, in the interests of preserving the setting of the listed building and preserving or enhancing the special character of the Conservation Area..

18. No development including any works of demolition shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording to level 2 of Historic England's 'Understanding Historic Buildings. A Guide to Good Recording', in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the special architectural or historic interest of the listed building.

19. No development, including any works of demolition, shall take place until details of a heritage interpretation scheme to be implemented at the site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use of the building or in accordance with a timetable submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interest of the special architectural or historic interest of the listed building.

20. No development beyond the construction of foundations shall take place until full details of the method of disposal of foul and surface waters have been submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the first use of the development hereby permitted.

Reason:

In order to prevent pollution of water supplies.

Informatives:

1. Planning permission does not convey any approval to carry out works on or affecting the public highway.
2. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.
3. Please view the Considerate Constructors Scheme at <http://www.ccscheme.org.uk/index.php/company-registration/how-to-be-veryconsiderate/company-code-of-considerate-practice>.

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That Listed Building Consent be granted subject to the following conditions and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary.

Conditions:

1. The work specified above shall be begun within three years from the date of this notice.

Reason:

To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in accordance with the details shown on the submitted drawings:

Site Location Plan – 001 – 19.01.2022

Proposed Block Plan – 002 P1 – 19.01.2022

Proposed Sections & Elevations – 007 P3 – 11.11.2022

Proposed Floor Plans – 006 P3 – 11.11.2022

Proposed Site Plan with Roof Plan – 005 P2 – 11.11.2022

Heritage Statement – 19.01.2022

Transport Statement – 19.01.2022

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development.

Appendix 1 – Site Location Plan