

Application No: 23/1375/FH

Location of Site: 118 Cheriton Road, Folkestone, CT19 5HQ

Development: Erection of first floor and single storey rear extensions, together with other external alterations to form an additional, self-contained dwelling.

Applicant: The Trustees of the Viscount Folkestone (1963) Settlement

Agent: Mr S Ingleston

Officer Contact: Robert Allan

SUMMARY

The report considers whether planning permission should be granted for the extension and alteration of the property to form an additional unit of accommodation and reorganise the internal layout of the existing units. The report assesses the principle of the development in this location, the visual impact upon the character and appearance of the building and the wider street scene, the amenity of existing and future occupiers, and all other material planning considerations, finding that the proposal is acceptable and in accordance with adopted policy.

RECOMMENDATION:

That planning permission be granted subject to the conditions set out at the end of the report.

1. INTRODUCTION

1.1. The application is reported to Committee due to the views of Folkestone Town Council.

2. SITE AND SURROUNDINGS

2.1. The application property is within the defined settlement boundary of Folkestone, fronting onto Cheriton Road, a wide, A-class road characterised in the immediate area of the application site by large, three storey, Edwardian and Victorian properties, with many of these having been sub-divided into flats. Properties on the southern side of the road are set back from the road frontage behind front gardens areas, but these areas have typically been given over to hard standing for car-parking, although on-street parking is also available. The application property is arranged over three storeys and is currently three self-contained flats. It has a low-level wall, a small front garden area and parking provision is on-street.

- 2.2. The property to the east is a large structure that was a former residential care home, but was converted into nine self-contained flats, including the erection of a large rear extension and associated works.
- 2.3. The application site is within an area of archaeological potential for major applications or equivalent only.
- 2.4. A site location plan is attached to this report as **Appendix 1**.

3. PROPOSAL

- 3.1 The proposed development is to create an additional self-contained two-bedroom residential unit to the rear, that would span two floors, through the construction of a single storey rear extension and a first-floor rear extension. The three existing flats would have an internal reorganisation, with an additional bedroom added to the existing second floor flat. Windows are proposed to be replaced, throughout.
- 3.2 The existing and proposed east, north, and west elevations, can be seen in images 1 and 2 below, whilst the existing and proposed rear garden layout can be seen in images 3 and 4.



Image 1: Existing east, north and west elevations

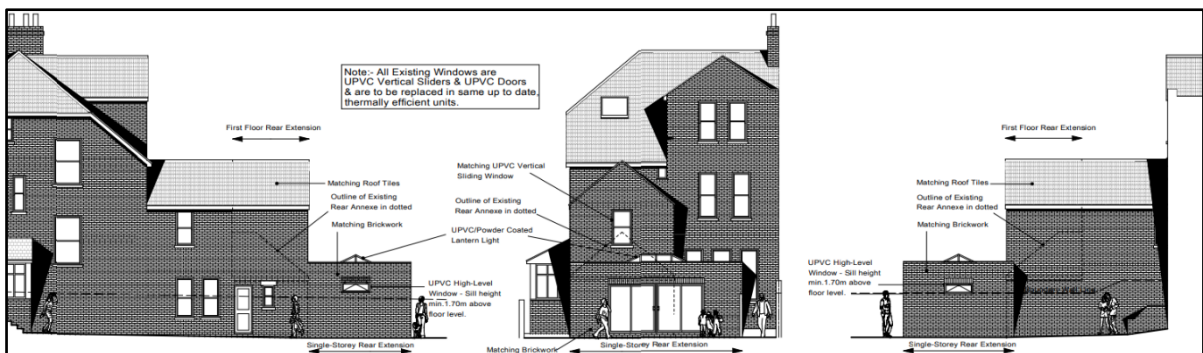


Image 2: Proposed east, north and west elevations

- 3.3 In addition to the drawings and application form, the following document was submitted by the applicant in support of the proposal:

Design and Access Statement

This document sets out a justification for the proposal in relation to matters of use, amount, layout, scale, landscaping, appearance and access, through describing the

site and surrounding area, the planning history for the site, the background for the development, and details of what is proposed. It concludes that the proposal would be consistent with the policy requirements of the development plan, with no detrimental impacts upon the building or the street scene.

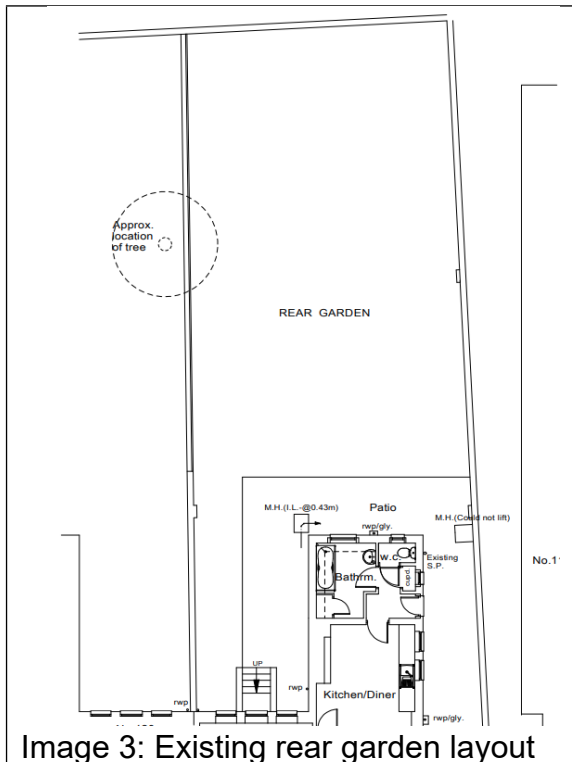


Image 3: Existing rear garden layout

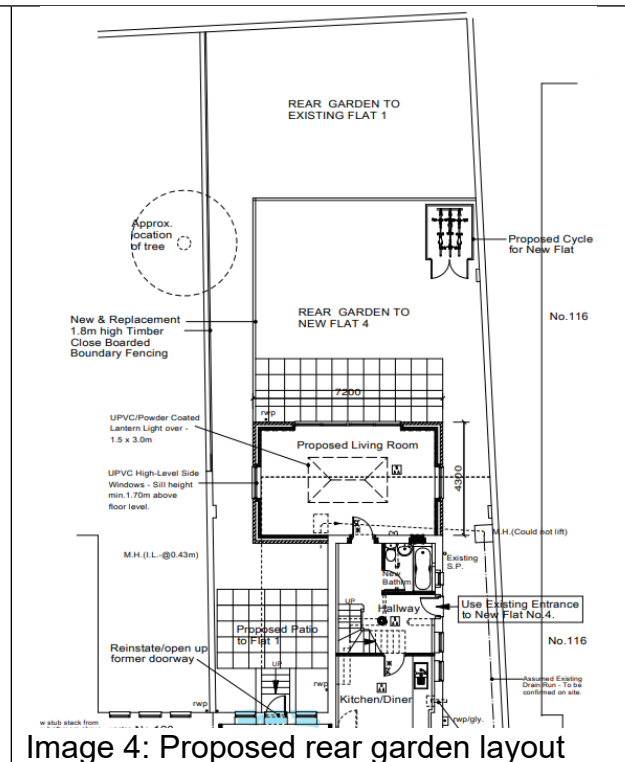


Image 4: Proposed rear garden layout

4. RELEVANT PLANNING HISTORY

4.1 The relevant planning history for the site is as follows:

99/0658/SH Installation of replacement windows.

Approved with conditions

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

Folkestone Town Council: Object – increased need for parking in an already congested area and have an adverse effect on daylight amenities to immediate neighbours by increasing the height.

Local Residents Comments

5.2 Seventeen neighbours have been notified of the proposed development. No representations have been received.

5.3 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 Review 2022. The Folkestone & Hythe District Core Strategy Review was adopted by Council on 30 March 2022.

6.2 The relevant development plan policies are as follows:-

Places and Policies Local Plan 2020

HB1	Quality Places Through Design
HB3	Internal and External Space Standards
HB8	Alterations and Extensions to Buildings
T2	Parking Standards
T5	Cycle Parking

Core Strategy Review 2022

SS1	District Spatial Strategy
SS3	Place-shaping and sustainable settlements strategy

6.3 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 2023 are relevant to this application: -

11	Presumption in favour of sustainable development
47	Applications for planning permission be determined in accordance with the development plan
130	Achieving well-designed places

7. APPRAISAL

7.1 The main issues for consideration are:

- a) Principle
- b) Visual impact
- c) Amenity
- d) Highways
- e) Other issues

a) Principle

7.2 The site is within the defined settlement boundary of Folkestone and in a sustainable location within walking distance of shops and services. This accords with the principles of Core Strategy Review policies SS1 and SS3, which direct development toward existing sustainable settlements with opportunity for increased densities within the town centre. The broad principle of an additional residential use in this location is considered acceptable, subject to all other material planning considerations.

b) Visual Impact

7.3 Policy HB1 states that planning permission will be granted where the proposal makes a positive contribution to its location and surroundings, enhancing integration while also respecting existing buildings and land uses, particularly regarding layout, scale, proportions, massing, form, density, materiality and mix of uses to ensure all proposals create places of character.

7.4 The proposed rear extensions would continue the form of the existing outrigger, with materials to match, although the proposed single storey element would have a flat roof, with parapet and roof lantern. It is considered in keeping with the overall style of the building and would not be detrimental to the character of the building or the wider street scene, which it would not be visible in because of its location in the rear garden area, with surrounding development precluding views.

7.5 The windows within the property have been replaced previously, as evidenced by the planning history and the observation from the site visit, and it is considered that the use of replacement uPVC windows in this location, which carries no special designation, would be acceptable, subject to the submission of details by condition.

7.6 Overall, the proposal is considered acceptable regarding the visual character of the building, the surrounding development, and the street scene, in accordance with Places and Policies Local Plan HB1.

c) Amenity

7.7 Policy HB1 states that planning permission will be granted where the proposal does not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook. Policy HB3 is concerned with space standards and is relevant to this application also.

Existing/Neighbouring Occupiers

- 7.8 The creation of the additional residential use would be unlikely to have any significant impact in relation to the enjoyment of the existing residential units either within the building or in adjacent properties, because of additional noise and disturbance from the use of the buildings or the external areas.
- 7.9 The proposed extension would not impact detrimentally upon the neighbouring occupiers to either side, or upon the existing occupiers, by virtue of either any overbearing or enclosing presence, or from any loss of light from overshadowing.

Future Occupiers

- 7.10 The space standard must be applied to the creation of new dwellings via conversion. Of the proposed flats, flats 1, 3 and 4 meet or exceed the Gross Internal Area (GIA) for the potential number of occupants in accordance with Places and Policies Local Plan policy HB3. Flat 2 on the first floor would be approximately 1 sqm below the requirement, but this is not considered to be a significant deviation to warrant a ground of refusal.
- 7.11 All habitable rooms shown for the proposed dwelling and the existing ones, following internal reorganisation, have a window, and an acceptable level of natural daylight, outlook and amenity would be afforded to future occupiers overall.
- 7.12 There are no balcony areas or external amenity spaces shown for the first or second floor flats, but they do not currently have them. As the internal reorganisation of the existing flats does not require planning permission, it is also not possible to require these additions even if they were desirable. The surrounding development does not generally have balconies at upper floor levels and the creation of these could appear incongruous on the building and within the street scene.
- 7.13 The ground floor flat and the proposed new dwelling would both benefit from the existing garden area, which would be subdivided to serve each unit. The proposed garden amenity areas would be overlooked by adjacent properties, but this is a relationship that already exists and is not considered unreasonable, in this location.
- 7.14 The existing situation for the flats within the building is noted, alongside the prevalent form of development in this tight-knit urban environment, whilst the proximity to Radnor Park is considered to be an acceptable alternative with regard to access to external amenity space. Overall, it is considered acceptable that there is no external amenity space for the first and second floor units, in this instance.
- 7.15 Regarding privacy, the side window at first floor level looks toward the rear elevation of 116 Cheriton Road, where the windows can be seen to serve an internal corridor. Whilst not ideal, the tight, urban grain gives rise to close relationships and the incidence of interlooking will be infrequent and give rise to no significant loss of residential amenity for future occupiers.
- 7.16 Overall, it is considered that the proposal would result in an acceptable standard of amenity for existing and future occupiers in accordance with Places and Policies Local Plan policies HB1 and HB3.

d) Highways

- 7.17 Policy T2 refers to the adopted parking standards which sets out that 1 parking space per 1 or 2 bed flat should be provided. The application site is considered to be edge of Folkestone Town Centre and the nature of the guidance here is maximum. The flats are within walking distance of shops and services with good access to public transport (bus stops) and the train station. There is no off-street parking for the existing flats.
- 7.18 Secure, covered cycle parking is not currently provided for the development, but the proposal would see this provided for the new dwelling, in accordance with policy T5, which could reasonably be secured by condition.
- 7.19 Whilst there would be an increased parking demand, this would be for one additional unit only, which given the sustainable location and the provision of facilities to encourage alternative modes of transport, the impact upon residential amenity from the increased on-street demand of one additional motor vehicle would not be so significant as to warrant refusal.

e) Other issues

- 7.20 In relation to refuse and recycling, the plans indicate an area for the storage of refuse and recycling, which would be extended to accommodate the requirements of the additional unit, which could reasonably be secured via condition.
- 7.21 As the dwellinghouse that would be formed would fall outside of the definition of a flat, it is deemed necessary to impose a condition to remove Permitted Development Rights in order to safeguard the amenities of the properties surrounding the site.

Environmental Impact Assessment

- 7.22 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

- 7.23 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.
- 7.24 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 proposal is CIL liable.

Human Rights

7.25 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

7.26 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

7.27 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 would result in the creation of an additional residential unit in a sustainable location, in a visually acceptable form, with no identified detrimental impacts upon the amenities of existing or future occupiers, highway safety or amenity, or any other identified material considerations.

8.2 Overall, it is considered that the proposal would result in a sustainable development, in line with adopted policy and is recommended for approval.

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 is approved subject to the following conditions:

DCL/23/30

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 complete accordance with the following approved drawings and documents:

012/23/04

Reason: For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of Places and Policies Local Plan.

3. Prior to construction of any external surfaces, details of the external finishing materials to be used on the development hereby permitted shall 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: In the interest of visual amenity.

4. Prior to first occupation details to demonstrate that the dwelling hereby permitted shall use no more than 110 litres of water per person per day shall have been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as agreed.

Reason: In the interest of sustainable development and minimising water consumption.

5. Full details of the secure, covered cycle storage, at a ratio of one space per bedroom, shall be submitted to and approved in writing by the Local Planning Authority, with such details as approved provided in full prior to first occupation of of the dwelling hereby approved, and thereafter retained.

Reason: In the interest of visual and residential amenity, as well as encouraging the use of sustainable modes of transport other than private motor vehicle.

6. Prior to first occupation of the dwelling hereby approved, the refuse / recycling store area shall be enlarged as per the approved plans and thereafter retained.

Reason: In the interests of visual and residential amenity.

DCL/23/30

7. No further development, whether permitted by Classes A, B, C, D, E, F, G or H of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason: In the interests of the amenities of the area.

Appendix 1 – Site Location Plan