

# DCL/19/41

<b>Application No:</b>	Y19/1213/FH
<b>Location of Site:</b>	32 Harcourt Road Folkestone Kent CT19 4AE
<b>Development:</b>	Demolition of existing conservatory and erection of a flat roofed extension across the rear elevation with the provision at the front of a pitched roof to the projecting garage.
<b>Applicant:</b>	Miss Claire McCabe
<b>Agent:</b>	N/A
<b>Officer Contact:</b>	Ross McCardle

## SUMMARY

Planning permission is sought for the erection of a single-storey rear extension and a pitched roof over the existing front garage projection. The proposal is considered acceptable with regard to all relevant material planning considerations, including design and appearance, residential amenity and highways issues. The development complies with all current development plan policies and the application is recommended for approval on this basis.

## RECOMMENDATION:

**That planning permission 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 at the request of Cllr Shoob due to concerns about the pitched roof to the garage spoiling the appearance of the pair of houses, restriction of access to No. 34 for maintenance and repair, rear extension would cause shading of No. 34 leading to damp and cold issues, loss of light to living room of neighbouring property, loss of privacy.

## 2. SITE AND SURROUNDINGS

- 2.1. The application site relates to a two-storey semi-detached dwelling on Harcourt Road within the defined settlement boundary of Folkestone. The building has a two-storey brickwork façade with a plain-tiled pitched roof. There is a single-storey flat-roof (partially integral) garage projecting to the front of the building, and a pitched-roof side projection (which appears to be original). There is also a conservatory to the rear of the building. The site features a driveway and lawn area to the front of the dwelling with a garden to the rear.
- 2.2. The wider Harcourt Road street scene is predominantly formed of detached and semi-detached two-storey dwellings of varied design and material finish. The properties are

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generally set back from the highway with parking and gardens to the front. Originally, the application site and the adjoining property 34 Harcourt Road would have been symmetrical, however various modern extensions to both properties have diluted this symmetry.

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

## **3. PROPOSAL**

3.1 Planning permission is sought for removal of the existing conservatory, erection of a single-storey rear extension, and a new pitched roof over the existing projecting garage on the front elevation of the building. The proposed rear extension would have a flat roof and span the width of the rear elevation of the building, with a depth of approximately 4.5m and measuring 2.9m in height. It would be finished in brickwork to match the main house, and would provide a kitchen / dining room. The proposed pitched-roof over the front garage projection would be finished in plain tiles to match the main roof, with a rendered gable.

## **4. RELEVANT PLANNING HISTORY**

4.1 There is no relevant planning history in relation to the application site.

## **5. CONSULTATION RESPONSES**

5.1 The consultation responses are summarised below.

### **Consultees**

Folkestone Town Council: No objection.

### **Local Residents Comments**

5.2 7 neighbours notified by letter. 1 letter of objection received.

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

### **Objections**

- There are restrictive covenants on the site
- The proposed alteration to the front of the property will alter and spoil the appearance of the semi-detached pair as a whole
- Drainage issues
- Reduction in green space
- Potential damage as a result of construction work

5.4 **Ward Member**

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Ward member Cllr Schoob has called this application in to be considered by the Committee.

5.5 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 saved policies of the Shepway District Local Plan Review (2006) and the Shepway Core Strategy Local Plan (2013)

6.2 The new Places and Policies Local Plan (PPLP) Submission Draft (February 2018) has been subject to public examination, and as such its policies should now be afforded significant weight, according to the criteria in NPPF paragraph 48.

6.3 The Folkestone & Hythe District Council Core Strategy Review Submission Draft (2019) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019, as such its policies should be afforded weight where there are not significant unresolved objections.

6.4 The relevant development plan policies are as follows:-

### Shepway District Local Plan Review (2013)

SD1- Sustainable Development

BE1- Building Design and layout

BE8- Building Alterations and Extensions

TR12- Car Parking

### Shepway Local Plan Core Strategy (2013)

DSD- Delivering Sustainable Development

### Places and Policies Local Plan Submission Draft (2019)

HB1- Quality Places through Design

HB8- Alterations and Extensions to Residential Buildings

T2- Parking Standards

### Core Strategy Review Submission draft (2019)

SS1- District Spatial Strategy

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

## **Government Advice:**

### National Planning Policy Framework (NPPF) 2019

- 6.6 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.

Paragraphs 124-127- Seek to secure a high standard of design.

### National Planning Policy Guidance (NPPG)

Design: process and tools

Climate Change

Natural Environment

## **7. APPRAISAL**

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

- a) Design/layout/visual amenity
- b) Residential amenity
- c) Parking and highway safety
- d) Other matters

### **a) Design and layout**

- 7.2 Policy BE8 of the Local Plan Review states that extensions to existing buildings should reflect the scale, proportions, materials, roof line, and detailing of the original building. Emerging policy HB8 of the Places and Policies Local Plan states that single-storey flat-roofed extensions will be permitted only if they are well-designed, and the proposed extension would not be generally visible from a public place and would serve only as an adjunct to the main building.
- 7.3 The proposed rear extension would have a total depth of 4.5m with a flat roof form measuring 2.9m in height. The structure would sit within the existing side building lines and would be finished in materials to match the main house. Whilst the flat roof form would be at odds with the pitched roof form of the main building it would not be an incongruous or seriously harmful addition as the structure would not be visible from public views, and it would serve as an adjunct to the main building. As such it would be in compliance with policy HB8 of the PPLP. Overall, the extension is considered to represent a subservient addition to the property that would have an acceptable impact on the visual amenity of the area.

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- 7.4 The proposed pitched roof proposed over the existing garage on the front elevation of the property would have an acceptable visual impact on the character of the host property. Whilst this arrangement would somewhat dilute the symmetry between the application site and the adjoining property, 34 Harcourt Road, it is noted that various works to both properties over the years, including the side dormer at No.34, have already diluted the symmetry between the buildings. It is therefore considered that the proposal would not result in significant harm to the character of the host property or wider Harcourt Road street scene to a degree that would warrant refusal of planning permission on design grounds. The white render finish on the gable of the pitched roof is considered to be an appropriate feature.
- 7.5 Overall, the proposed development is considered to comply with development plan policies BE1 and BE8 of the Local Plan Review and HB1 and HB8 of the Places and Policies Local Plan.

## **b) Residential amenity**

- 7.6 Policy HB8 of the Places and Policies Local Plan states that extensions should protect the residential amenity of the occupants of neighbouring properties and ensure avoidance of unacceptable overlooking and inter-looking. Single storey extensions should be designed so as to fall within a 45-degree angle from the centre of the nearest ground floor window of a habitable room or the kitchen of the neighbouring property.
- 7.7 In this case, the applicant has demonstrated that the proposed extension would fall within a 45-degree angle from the centre of the nearest ground floor window of a habitable room at both neighbouring properties, 30 and 34 Harcourt Road. It is therefore considered that the proposed rear extension would not result in an unacceptable overbearing, enclosing or overshadowing impact on either of these properties. The proposed windows and doors on the extension are at ground floor level and as such would offer views of the application site garden only and would not result in any overlooking. There are no side windows proposed that would result in a loss of privacy to neighbouring occupants.
- 7.8 The proposed pitched roof over the garage would have no impact on the amenity of neighbouring properties.

## **c) Parking and highways**

- 7.9 The existing parking arrangement at the property would be unaffected by the proposal and no additional bedrooms are proposed. The garage would remain as such and there are no highway safety concerns in relation to the development.

## **d) Other matters**

- 7.10 It is noted that several issues have been raised in an objection letter. Covenants on are private legal matters and cannot be considered as part of the planning application. The visual impact of the alterations has been considered above. Drainage is dealt with under Building Regulations. It is considered that adequate garden area will remain. Any damage that occurs during construction would be a private legal matter between the parties.

## **Environmental Impact Assessment**

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7.11 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.

## **Human Rights**

7.12 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**

7.13 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**

7.14 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 In light of the above, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

## **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. RECOMMENDATION**

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**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:

1. The development must be begun within three years of the date of this permission.

### Reason:

As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, OS extract and drawing number 19/34 – 2 received 6<sup>th</sup> November 2019.

### Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of saved policy SD1 of the Local Plan Review.

3. The development hereby approved shall be carried out in complete accordance with the details of materials as specified in the application, unless otherwise agreed in writing by the Local Planning Authority.

### Reason:

To ensure the appropriate appearance of the completed development and in the interests of visual amenity.