

Application No: Y17/1105/SH

Location of Site: 29 Radnor Cliff, Folkestone, Kent, CT20 2JJ

Development: Erection of second floor extension and roof terrace

Applicant: Mr and Mrs Jonathan and Libby Carreck

Agent: Mr Matt Whitby
Guy Hollaway Architects
The Tramway Stables
Rampart Road
Hythe
CT21 5BG

Date Valid: 07.09.17

Expiry Date: 02.11.17

PEA Date: 31.01.18

Date of Committee: 23.01.18

Officer Contact: Alex Kalorkoti

SUMMARY

This report considers whether planning permission should be granted for the erection of a second floor extension and roof terrace, including glazed balustrades, atop the existing flat-roofed main house of the application site. The report recommends that planning permission be granted as it is considered that the design and materials of the proposed extension reflect the architectural style and detailing of the main house and would not be detrimental to its appearance or character, or incongruous in the street scene within the Conservation Area. The amenities of existing and future occupants are considered to be safeguarded. Land stability concerns can be addressed by condition and there are no highway safety concerns.

RECOMMENDATION: That planning permission be granted subject to the conditions set out at the end of the report.
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1.0 THE PROPOSAL

- 1.1 The proposed second floor extension would cover part of the existing large first floor flat-roof of the main house and would be aligned with the rear of the property but set back from the side and front elevations of the existing house by 3.4m from the western edge, 4.4m from the front of the property and 2.5m from the eastern edge. The proposed extension would provide for the addition of a sunroom at the new second floor level, with an existing store room at first floor level removed to provide a staircase to the new second floor.
- 1.2 Accessed from the proposed second floor extension, a terrace is proposed for part of the roof area, enclosed by 1.8m high privacy screens to the sides, set in 1.2m and 2.5m from the western and eastern sides respectively, and a 1.1m glazed balustrade to the front and rear elevations, with the front balustrade set back 2.8m from the front of the building.
- 1.3 The proposed extension includes a full height glazed opening to the rear elevation which would extend from the existing first floor level to the proposed second floor and would be finished with white render, vertical timber cladding, white painted fascia boards and dark grey aluminium windows/glazing.

2.0 SITE DESIGNATIONS

- 2.1 The following apply to the site:
 - Inside settlement boundary
 - Sandgate Conservation Area
 - Area of Special Character
 - Latchgate Area
 - TPO No.04 of 2009

3.0 LOCATION AND DESCRIPTION OF SITE

- 3.1 The application property is a distinctive 1960s dwelling house arranged over two floors with a large flat-roofed first floor that overhangs the footprint of the ground floor, providing an undercroft driveway. The building featured in the 'The Buildings of England' book series by Nikolaus Pevsner and Edward Hubbard, which praised the design that provides 180-degree views of the sea.
- 3.2 The building is clad in aluminium and timber, with hanging tiles. The existing ground floor layout of the house includes an entrance hallway, utility room, workshop/store, shower room, sitting room/bedroom.
- 3.3 At first floor level, the layout includes two bedrooms, bathroom, store room, study and a large open-plan living room/kitchen/dining room. To the rear of

properties on the north-side of Radnor Cliff is a group Tree Preservation Order.

4.0 RELEVANT PLANNING HISTORY

- 4.1 The most relevant planning history in relation to this application is Y14/0356/SH, which was approved with conditions for the erection of a second floor flat-roofed extension, including a balcony, the re-cladding of external walls, and alterations to the fenestration and the replacement of a ground floor garden room with a utility room. This expired, unimplemented, on 07.05.2017.

5.0 CONSULTATION RESPONSES

- 5.1 Consultation responses are available in full on the planning file on the Council's website:

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

Responses are summarised below.

5.2 Sandgate Parish Council

Object on the grounds that the application is not compliant with the Sandgate Design Statement, the roof height is excessive in relation to surrounding buildings, the impact on neighbouring residents in terms of privacy, light, massing and proximity of boundaries. The Parish Council also consider that this proposal is much larger than the 2014 permission, and that the property, as evidenced by Pevsner and others, makes a positive impact in its current design to the Conservation Area.

6.0 REPRESENTATIONS

- 6.1 Representation responses are available in full on the planning file on the Council's website:

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

Responses are summarised below:

- 6.2 38 representations were received objecting to the proposal and are available in full on the planning file. The main points raised are summarised below.
- Overshadowing impact/loss of light to neighbouring properties nos. 27 and 31
 - Impact on architectural interest and cultural heritage
 - Detrimental impact on the Sandgate Conservation Area
 - Overbearing/enclosing impact
 - Overlooking/loss of privacy

- Contrary to saved policies BE3, BE4 and BE12 in relation to the Conservation Area and Area of Special Character
- Contrary to saved policy BE8 regarding roof line and impact on neighbouring amenity
- Out of keeping with the street scene
- Land instability concern and structural integrity within the Latchgate Area
- As a non-designated heritage asset within a Conservation Area, the building should remain in its existing form
- Unsympathetic to the site's setting and backdrop (The Cliff)
- The building has been put forward for local listing and should be preserved
- Contrary to Sandgate Design Statement
- Contrary to saved policy BE19 of the Shepway District Local Plan Review in relation to land stability
- The proposal threatens the preservation of a distinctive example of 20th Century architecture

6.3 1 representation was received in support of the proposal and is available in full on the planning file.

6.4 The application has been called in by a ward member for the reasons set out below:

1. Notwithstanding the latest revisions to the plans, there are issues regarding privacy, overlooking, and general detriment to the amenity of the neighbouring properties caused by the extension, and
2. There are issues regarding the architectural heritage of the building.

7.0 RELEVANT POLICY GUIDANCE

7.1 The full headings for the policies are attached to the schedule of planning matters at Appendix 1 and the policies can be found in full via the following links:

<http://www.shepway.gov.uk/planning/planning-policy/local-plan>

<https://www.shepway.gov.uk/planning/planning-policy/documents-and-guidance>

<https://www.gov.uk/government/collections/planning-practice-guidance>

7.2 The following policies of the Shepway District Local Plan Review apply: SD1, BE1, BE4, BE8, BE12, BE19 and TR12.

7.3 The following policies of the Shepway Local Plan Core Strategy apply: DSD .

7.4 The following Supplementary Planning Documents apply:

7.5 The following paragraphs of the National Planning Policy Framework are of particular relevance to this application:

17 – Core planning principles

135 – Conserving and enhancing the historic environment

139 – Conserving and enhancing the historic environment

8.0 APPRAISAL

8.1 The relevant issues for consideration with regard to this current application are the impact of the proposal upon the design and visual appearance of a non-designated heritage asset, upon the Sandgate Conservation Area, the impact of the proposal on the amenities of neighbouring occupiers, and parking and highway matters.

Design and Visual Appearance

8.2 By the nature of the proposal's design, it could be considered to conflict with saved policy BE8(c) as the second floor extension would be flat-roofed and visible from the street scene of Radnor Cliff. However, the existing house is flat-roofed and any alternative roof form would be likely to appear incongruous.

8.3 Although the proposed extension would alter the simple form of the existing structure, due to the reduced proportions of the proposed extension relative to the large floor plan at first floor level, which is itself supported above a recessed ground floor, the proposal is considered not to be detrimental to the appearance and composition of the existing property, with the proportions, materials and detailing considered to be reflective of the strong architectural character of the property. The reduced size and sympathetic materials of the proposed extension would also have the benefit of significantly reducing the prominence of the extension in the street scene, safeguarding the character of the Sandgate Conservation Area.

8.4 Turning to the proposed balustrades and privacy screens, although this element of the proposal would introduce new features which are not currently present, it is considered that by virtue of their slim profile and position set back from the edges of the building, that they would not have a strong visual presence on the property or in the street scene.

8.5 In terms of supplementary local policy, the Sandgate Design Statement and Sandgate Conservation Area Appraisal assess the Radnor Cliff area in which the application site falls, identifying distinguished period houses, key views and vistas that make a positive contribution to the Sandgate Conservation Area, as well as the materials, scale and other details of the study area.

8.6 For the reasons set out above, it is considered that the proposal would not be detrimental to the key characteristics identified in the supplementary local policy, or the character and appearance of the undesignated heritage asset that is the dwelling, and is considered to be acceptable. Consequently, it is considered that the proposal accords with NPPF Paragraph 135 which states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application, and that a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset.

Amenity

8.7 With regard to overbearing/enclosing presence, it is considered that this would be of principal concern to the occupiers of 27 and 31 Radnor Cliff, which lie to the west and east of the application site respectively. As both the proposed extension and the privacy screens are set away from the edge of the existing structure and are therefore even further from the common boundaries of the neighbouring properties, the proposal would have no significant detrimental impact on the living conditions of neighbouring occupiers.

8.8 With regard to privacy, it is considered that views from the proposed terrace at second floor level would predominantly be into the public realm of Radnor Cliff to the front of the application site, as a consequence of the proposed obscure glazed screens to the side elevations obviating any additional overlooking to the neighbouring properties, nos. 27 and 31. For number 30, directly opposite the application site, there is one window facing the application site at first floor level, which is already viewable from the public realm. It is considered reasonable, should permission be granted, to impose a condition restricting access to the areas outside of the defined terrace to be for maintenance only, in order to restrict use of the wider roof area. Overall, it is considered that the proposal is unlikely to result in any significant detrimental impact on the living conditions of neighbouring occupiers through loss of privacy as a result of overlooking.

8.9 With regard to potential overshadowing, any additional shadow from the proposed development would be cast toward no. 27 in the early morning only, and toward no. 31 in the evening, due to the path of the sun. As both the extension and associated privacy screens would be set in from the side of the property any additional overshadowing is considered likely to be minimal.

8.10 For no. 27 to the west, any overshadowing would fall to the side garden area that lies between the property and the application site. A small patio area is evident, which sits below the floor level of the existing first floor and in close proximity to the western elevation of the application property. Consequently, the existing relationship would curtail significantly the sunlight received in the morning and it is considered that the proposal would not

result in any significant additional overshadowing impact that would be detrimental to the occupiers of no.27.

8.11 Turning to no.31 to the east, there is a raised decked area to the side of the main house, which acts as part of the main garden amenity space, projecting out to the common boundary with the application property. It is considered that the position of the proposed extension and privacy screen away from the edges of the existing roof and the common boundary with the neighbouring property would result in the majority of additional evening shadow falling upon the roof of the application property, with a lesser amount upon the raised deck. However, it is not considered that the level of overshadowing would be so significant as to curtail the reasonable enjoyment of the neighbouring property.

8.12 Overall, the proposal is considered to be acceptable with regard to impact on the amenities of neighbouring occupiers.

Parking and Highways

8.13 As referenced above, the proposal would provide for the addition of a sunroom atop part of the existing first floor flat-roof. As such, the proposal would not result in any change in the number of bedrooms within the main dwellinghouse of the application site and it is considered that the parking requirement of the house would not change as a result of the proposal. The proposed development does not include any works to the ground floor level of the site which would reduce or alter the current provision of off-street parking to serve the house and is considered to be acceptable with regard to parking and highway safety.

Latchgate

8.14 The site is within Class E of the Latchgate Area, which indicates that slope instability problems are almost certainly present and may be active; significant constraint on land use is required. As a result, it is considered that the Latchgate condition requiring further details, prepared by a suitably qualified consultant, to be submitted to and approved by the local planning authority would be required if permission was granted in order to ensure that the additional burden on foundations as a result of the proposed development would not result in any issue of slope stability.

8.15 Subject to a condition, as outlined above, being attached to any permission it is considered that the proposal is acceptable with regard to landslip.

Environmental Impact Assessment Regulations 2017

8.16 In accordance with the EIA Regulations the site does not fall within a sensitive area and the development is below the thresholds for Schedule 2 10(b) urban development projects and therefore does not need to be screened under these regulations.

Human Rights

8.17 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.

8.18 The application has been called in to Committee by Cllr Love due to concerns over impact on the amenity of neighbouring occupiers, and impact on the architectural heritage of the building.

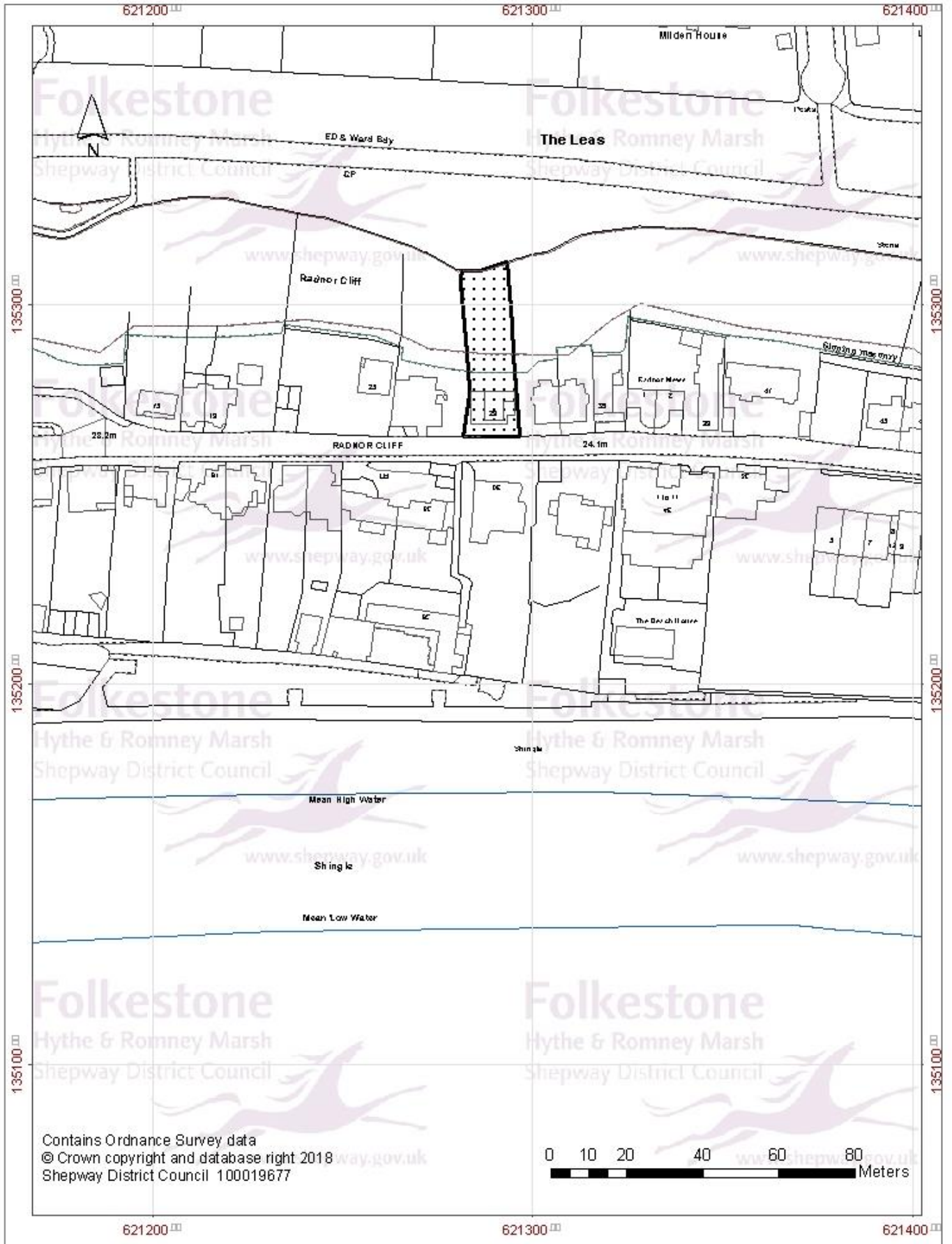
9.0 BACKGROUND DOCUMENTS

9.1 The consultation responses set out at Section 5.0 and any representations at Section 6.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

RECOMMENDATION – That planning permission be granted subject to the following conditions:

1. Standard time condition
2. Approved plan numbers
3. Materials
4. Latchgate
5. Installation and retention of privacy screens
6. Limiting of access to areas outside of defined terrace

Y17/1105/SH
29 Radnor Cliff
Folkestone



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