

Application No: Y18/0506/FH

Location of Site: Flat A, 162 Sandgate Road, Folkestone, Kent, CT20 2LH

Development: Erection of single storey rear extension and side garden wall, together with other external alterations

Applicant: Mr Richard Tapply

Agent: Mr Benjamin Bates
CL Architects
127 Sandgate Road
Folkestone
Kent
CT20 2BH

Date Valid: 17.04.18

Expiry Date: 12.06.18

PEA Date: 04.07.18

Date of Committee: 26.06.18

Officer Contact: Alexander Kalorkoti

SUMMARY

This report considers whether planning permission should be granted for the erection of a single storey extension and a new garden wall on this site. The report recommends that planning permission be granted as it is considered that the design and visual appearance of the proposal are acceptable in terms of impact on the existing building and in views from the public realm. The amenities of existing and future occupants are safeguarded, and there are no parking or highway safety concerns.

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

1.0 THE PROPOSAL

- 1.1 This application is for a new pitched roof single storey rear extension following the demolition of an existing single-storey rear extension. The proposed rear extension would provide a new living room, with the number of bedrooms within the flat unchanged.
- 1.2 Permission is also sought for the erection of a 1.7m high brick boundary wall to the side of the rear garden area, running parallel to Plain Road.

- 1.3 Within the application it is stated that matching materials will be used throughout, including matching brickwork, clay tiles and uPVC windows and doors.
- 1.4 The proposal includes the addition of two rear roof lights at ground floor level within an existing roof slope, and a new set of double doors and window to the rear elevation of the main house, in place of an existing window and single door respectively.

2.0 SITE DESIGNATIONS

- 2.1 The following designations apply to the site:

- Inside settlement boundary;
- Area of Special Character.

3.0 LOCATION AND DESCRIPTION OF SITE

- 3.1 The application site is located within the settlement boundary of Folkestone and an Area of Special Character as identified in saved policy BE12 of the Shepway District Local Plan Review. The site is also located approximately 30 metres west of the Folkestone Leas & Bayle Conservation Area.
- 3.2 The main building of the application site is an Edwardian or Victorian, three-storey, residential building with pitched roof forms, which has been subdivided into three flats.
- 3.3 In terms of materials, the building is finished with facing brickwork, a mix of concrete and clay tiles, and a mixture of uPVC and timber windows and doors.
- 3.4 The ground floor flat (Flat A), the subject of this application, includes an existing single storey rear extension that is constructed from brick, with a predominantly flat roof, with pitched sides, clad in roofing felt.

4.0 RELEVANT PLANNING HISTORY

- 4.1 There is no relevant planning history in relation to this proposal.

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 Folkestone Town Council
No objection

6.0 PUBLICITY.6.1 Neighbours letters expiry date 22.05.18.

7.0 REPRESENTATIONS

7.1 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:

7.2 One email was received objecting on the following grounds:

- Parking;
- Disruption during building works;
- Impact on the condition of neighbouring buildings.

8.0 RELEVANT POLICY GUIDANCE

8.1 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>

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

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

8.4 The following Supplementary Planning Documents apply:
Kent Design Guide: Interim Guidance Note 3

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

17 - Core Planning Principles

9.0 APPRAISAL

Relevant Material Planning Considerations

- 9.1 The relevant issues for consideration with regard to this current application are design and visual appearance, impact on neighbouring amenities, and parking and highway safety. The proposed works are not considered to have any impact on the setting of the conservation area due to the minor nature of the works and the distance of the site from the conservation area boundary.

Design and Visual Appearance

- 9.2 The proposed single storey rear extension has a simple pitched roof design, which would be subservient to the main house due to its small scale and would reflect its pitched roof form. In design terms, it is considered that the proposed rear extension would represent an improvement compared with the existing part-pitched, part flat-roofed structure, which would be demolished under this proposal, as it is considered that the pitched roof form of the proposed extension more closely reflects the roofs forms of the main building and the tiled roof finish represents a positive change in materials compared to the existing felt roof. The proposal includes matching materials throughout, which is considered to be an acceptable approach.
- 9.3 Due to its location to the rear of the main house, it is considered that the extension would not be prominent within either the street scene of Sandgate Road, to the front of the site, or Plain Road, to the side. As such it is in accordance with the guidance set out in saved policies BE1 and BE8, nor would it result in significantly greater visual impact of the building within the Area of Special Character due to its domestic scale. In this respect it complies with the relevant part of saved policy BE12.
- 9.4 Turning to the proposed 1.7m high side garden wall, this would replace an existing panel fence that has been overgrown with vegetation. Boundary treatments in the immediate vicinity are mainly hedges of varying heights and low walls, with some panel fencing. However, in this case the side wall of the existing building runs along the back edge of the footpath, so a boundary wall of similar brickwork would look acceptable in the streetscene and accord with policy BE1. To ensure appropriate appearance and detailing of the wall, full details of materials, coping and other details should be required by condition.
- 9.5 Overall, the proposed single storey rear extension reflects the scale, proportions, materials, roof line and detailing of the original building, in accordance with the preamble of saved policy BE8, and it is considered that both the proposed rear extension and side garden wall meet the high standard of layout, design and choice of materials sought by the introductory paragraph to saved policy BE1. In addition, it is considered that due to their low domestic scale, the proposed extension and garden wall would not result in detrimental additional visual impact within the Area of Special Character, in accordance with the aims of saved policy BE12.

Neighbouring Amenity

- 9.6 Given the 1.7m height of the proposed side garden wall, and its location along the side boundary of the site, shared with the public highway of Plain Road, it is considered that this element of the proposal would have no discernible impact on the amenities of neighbouring occupiers and is in accordance with saved policy SD1(k).
- 9.7 The main building of 162 Sandgate Road projects significantly further back in the plot than the neighbouring building, No.160 and there is an existing rear addition which would be demolished and replaced with the proposed extension. Therefore the existing building already has an impact on the rear of No.160. Although the proposal would replace a part flat roofed structure with a pitched one, it is not considered that this will significantly increase the impact on the neighbouring building and garden, given the impact that already exists along with a separation distance to the site boundary of 0.9m at the nearest point. Therefore it is not considered that the proposal would result in a significant and/or detrimental overbearing impact on the living conditions of neighbouring occupiers, or the amenity area they enjoy.
- 9.8 With regard to overlooking, it is noted that due to the nature of the proposed single storey rear extension, that all new openings would be at ground floor level only, with the boundary treatment between properties preventing any loss of privacy. The roof lights shown would provide natural light to the interior as opposed to readily available views out towards neighbouring properties. Overall, there would be no detrimental impact on the privacy of neighbouring occupiers from overlooking.
- 9.9 With regard to overshadowing, given the track of the sun to the south and the relative location of the main house of the application site to the south, it is considered that the proposed single storey extension would be unlikely to create significant additional overshadowing beyond the existing shadow cast by the main house. It is considered that any additional overshadowing would be minimal and fall within the rear garden of the application site, and would not create a significant or detrimental impact on the living conditions of neighbouring occupiers.
- 9.10 Overall, the proposal is considered to be acceptable with regard to impact on the amenities of neighbouring occupiers, in accordance with parts (a) and (e) of saved policy BE8 and saved policy SD1(k) of the Shepway District Local Plan Review.

Parking and Highways

- 9.11 The number of bedrooms within the flat, which is the subject of this application, would remain unchanged under this proposal. In addition, parking arrangements of the site would remain unchanged. As a result, it is considered that the proposal is neutral in relation to parking and would not create a significant or detrimental impact on highway safety, and is therefore acceptable in this regard in accordance with saved policy TR12 of the Shepway District Local Plan Review.

Environmental Impact Assessment Regulations 2017

- 9.12 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.

Other Issues

- 9.13 The written representation received objecting to the proposal raised parking, the impact of the proposal on the condition of neighbouring buildings, and disruption to neighbours during construction. As set out above, the proposal does not change the parking requirement for the flat.
- 9.14 In relation to the building works, The Party Wall etc Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings, which is outside of the considerations of the Planning Act 1990. Any disruption during construction is not a material planning consideration and is not a valid planning reason for refusing planning permission.

Human Rights

- 9.15 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.
- 9.16 This application is reported to Committee as the applicant is an employee of the Council and a written representation objecting to the proposal has been received.

10 BACKGROUND DOCUMENTS

- 10.1 The consultation responses set out at Section 5.0 and any representations at Section 7.0 are background documents for the purposes of the Local Government Act 1972 (as amended).
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RECOMMENDATION – That planning permission be granted subject to the following conditions:

1. Standard time condition
2. Approved plan numbers
3. Materials
4. Details for garden wall

Decision of Committee

DCL/18/07

Y18/0506/SH
Flat A
162 Sandgate Road
Folkestone

