

Application No: Y19/1075/FH

Location of Site: 4 Marine Terrace, Folkestone, Kent, CT20 1PZ

Development: Change of use and conversion to 5 self-contained flats, erection of a 5 storey rear extension & extensions/alterations to roof.

Applicant: Mr Leo Griggs, Alliance Building

Agent: N/A

Officer Contact: Danielle Wilkins

SUMMARY

This report considers whether planning permission should be granted for the change of use and conversion of the existing building to five self-contained flats, together with the erection of a five storey rear extension and extension and alterations to the existing roof at 4 Marine Terrace, Folkestone, previously known as the Chelsea Hotel. The report recommends that planning permission should be granted as it is considered that the amenities of existing and future residents would be safeguarded and the design and layout of the proposed development would not negatively impact on the streetscene or conservation area.

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 due to an objection made by Folkestone Town Council.

2. SITE AND SURROUNDINGS

2.1. The application site comprises a mid-terrace property in a row of 5 storey Victorian buildings within the Folkestone Leas and Bayle Conservation Area. They are located on the western side of Marine Terrace opposite Pavilion Court. The application property had for some years been used as a guest house. Planning permission was granted under Y07/0415/SH for change of use to a dwelling. The property appears to be in a rundown condition.

2.2. The application site is located within an area of archaeological potential.

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

3. PROPOSAL

- 3.1 Full planning permission is sought for the change of use and conversion of the existing dwelling to five self-contained flats, together with the erection of a five storey rear extension and extensions and alterations to the existing roof to include a mansard roof.



As Proposed Elevations

Proposed Extension & Conversion into flats of No. 3 & No.4 Marine Terrace, Folkestone, Kent CT20 1PY

Revision A - 18/12/2007 - Amended in accordance with John Gibbs Comments

Scale 1:100 Date Oct. 2019 Drawing No. 2007/80/09A

- 3.2 The proposal would create five two bedroomed self-contained flats. There would be one flat per floor, including the basement and roofspace.
- 3.3 The cycle storage for the basement flat would be located within the rear courtyard, the cycle storage for the four remaining units would be located within the new brick built cycle and bin stores to the rear of the application site.
- 3.4 The bin storage for the basement flat would be located to the front of the basement flat within the existing storage area beneath the entrance to the ground floor.
- 3.5 The alterations to the building would comprise a mansard roof to the existing building with four flat roofed dormer windows to the front. To the rear is proposed a 5 storey extension with the 5th storey within a mansard roof. The extension would extend the full width of the existing building and have a depth of approximately 2.6 metres. There would be 4 flat roofed dormer windows in the rear roofslope of the extension. No windows are proposed in the side elevations of the extension.
- 3.6 In terms of materials if it is proposed that the building would be finished in white painted render, all windows to be uPVC sliding sash to match the appearance of 7-10 Marine

Terrace, the new mansard roof to be finished in grey slate effect roof tiles and single ply PVC membrane with rolled lead effect finish, also to match 7-10 Marine Terrace.

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

Design and Access Statement dated 2007

3.8 A copy of the Design and Access Statement was supplied which formed part of the original planning application, reference Y07/1502/SH, in 2007. The main points to be noted are:

- other similar developments on Marine Terrace at numbers 6 and 7-10 which include the additions of a mansard roof and rear extension to accommodate a change of use and conversion to self-contained flats
- each flat has a dedicated bin store within the rear courtyard or beneath the main staircase entrance at ground floor
- the proposed layout of each of the flats is reliant upon the erection of the five storey rear extension
- the flats have been laid out in accordance with the space standards contained in Appendix three of the Shepway District Local Plan Review
- the layouts of the units provides for one flat per floor
- the proposed rear extension would be modest in depth at only 2.5 metres from the rear wall
- the depth and height of the proposed rear extension would relate well to the proportions of the terrace
- the use of a mansard roof form would respect the basic form and rhythm of the front façade whilst the rear of the premises are already asymmetric and cluttered by a random assortment of single storey, two, three and four storey rear extensions
- external finishes are intended to recreate the consistency of the façade treatment comprising pale rendered walls, white finished windows and slate roofs to the both the front and rear façades, including the replacement of mis-mounted windows, doors, extensions, pipework and materials to represent a substantial overall improvement to the overall appearance.
- No provision has been made for off-street parking
- The design and layout of the premises does not facilitate the ready conversion of the building to full accessibility standards with insufficient space to provide a lift to all floors, however the basement flat, which would have level access to the rear, would have French style doors into the courtyard for access by mobility-impaired persons.

Archaeological Watching Brief

3.5 A copy of the Archaeological Watching Brief was supplied which formed part of the original planning application, reference Y07/1502/SH, in 2007. The main points to be noted are:

- The excavations inspected at Marine Terrace have provided an opportunity to archaeologically examine a small area close to Folkestone's historic waterfront. The area of the present site, was not established as solid ground until the early nineteenth century, when long-shore drift led to an accumulation of beach shingle here.
- No finds, features or deposits of archaeological significance were revealed by the excavations and no further analysis of the recorded information is required.

4. RELEVANT PLANNING HISTORY

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

Y07/0415/SH	Change of use and conversion of existing hotel (Class C1) to a single residential dwelling (Class C3). (4 Marine Terrace)	Approved with Conditions
Y07/1502/SH	Change of use and conversion of existing dwelling to 5 self-contained flats together with the erection of a 5 storey rear extension & extensions & alterations to roof. (3 & 4 Marine Terrace)	Approved with conditions
Y07/1471/SH	Change of use and conversion of existing house in multiple occupation to 5 self-contained flats together with erection of a 5 storey rear extension and extensions and alterations to roof (3 Marine Terrace)	Approved with conditions

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

Folkestone Town Council:

Object, the excessive development of the top floors is out of keeping with the 19th century buildings producing an ugly elevation

Environmental Protection Officer:

No objection

Private Sector Housing:

No objection

KCC Archaeology

Notified on 04/10/2019 however no response has been received

Local Residents Comments

5.2 48 neighbours directly consulted. 0 letters of objection and 1 letter of support received

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

Support

- The property is in a poor state and the scheme is very sympathetic to the other, once grand, buildings in Marine Terrace. This conversion should be approved as quickly as possible to improve the street scene in Marine Terrace and provide much needed housing.

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 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 Submission Draft (February 2018) has been the 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 – Standards Expected for New Development
BE4 – Development within Conservation Areas
BE8 – Alterations and Extensions to Existing Buildings
HO8 – Sub-division of Properties to Flats/Maisonettes
TR12 – Vehicle Parking Standards

Shepway Local Plan Core Strategy (2013)

DSD – Delivering Sustainable Development
CSD1 – Balanced Neighbourhoods for Shepway
CSD6 – Central Folkestone Strategy
SS1 – District Spatial Strategy

Places and Policies Local Plan Submission Draft (2019)

HB1 – Quality Places through Design
HB3 – Internal and External Space Standards
HB8 – Alterations and Extensions to Existing Buildings
HE1 – Heritage Assets
HE2 – Archaeology
T2 – Parking Standards
T5 – Cycle Parking

Core Strategy Review Submission draft (2019)

SS1 – District Spatial Strategy
CSD1 – Balanced Neighbourhoods
CSD6 – Central Folkestone Strategy

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

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.

Paragraph 131 – Great weight should be given to designs which raise the standard of design more generally in an area

Paragraphs 189-192 – Proposals affecting heritage assets

National Planning Policy Guidance (NPPG)

Design: process and tools

Climate Change

Flood Risk and Coastal Change

Natural Environment

National Design Guide October 2019

- C1 - Understand and relate well to the site, its local and wider context
- I2 - Well-designed, high quality and attractive
Paragraph 53 *'Well designed places are visually attractive and aim to delight their occupants and passers-by'*.

7. APPRAISAL

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

a) Principle of development and sustainability

- 7.2 Policy HO8 of the Shepway District Local Plan Review states that the District Planning Authority will grant planning permission for the conversion of larger homes into flats where it can be satisfied that: the property is no longer suitable for single family occupation, the property has five or more bedrooms, the conversion will not lead to intensification in the number of households giving rise to an unacceptable change in the character or appearance of the neighbourhood.
- 7.3 Planning permission was granted in 2007 for the conversion and extension of 3 and 4 Marine Terrace under permission Y07/1502/SH, identical to this proposal. Subsequently, planning permission was granted for number 3 Marine Terrace alone, Y07/1471/SH, which has consequently been implemented.
- 7.4 The application site is currently a vacant property on Marine Terrace, which was historically used as a Guest House but for which planning permission was granted in 2007 for the conversion to form one dwelling. It was not clear from a site visit if this permission was ever implemented but as the application form states the existing use as being a single dwelling, it is assumed that it was.
- 7.5 The internal layout of the building is hard to determine, the floor plans submitted with the application for the planning permission for the single dwelling was for a seven

bedroomed dwelling. It is clear that the property would be a large dwelling with excess of 5 bedrooms and it was also previously a hotel, therefore there is not considered to be a conflict with the policy requirement to safeguard single family dwellings.

- 7.6 The site falls within the area of Folkestone Town Centre identified by the Local Plan as an area for redevelopment. Policy CSD6 of the Core Strategy Review refers specifically to the redevelopment area in which the application site is situated. This policy encourages new residential development in the area. The principle of this proposal to maintain residential use and make better use of the building by provided 5 residential units. Therefore the principle of the development is in line with national and local plan policy and, in light of the points above, is considered more sustainable than the current use of the property.

b) Design, Layout and Visual Amenity

- 7.7 Policy HB8 of the Places and Policies Local Plan Submission Draft states that alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line and detailing of the original building and not have a detrimental impact on the street scene.
- 7.8 Policy HB8 of the Places and Policies Local Plan Submission Draft also states that alterations and extensions should respect the building and location's character and should not result in unacceptable harm to heritage assets (whether designated or not) or their setting.
- 7.9 The proposed mansard roof and two storey rear extension would be in line with the alterations undertaken at 7-11 Marine Terrace and the immediate neighbouring property at No. 3 Marine Terrace. They are not of the best design but the appearance of the current building detracts from the visual amenity of the area. The proposed alterations would not appear out of keeping with others in the immediate vicinity and granting permission will hopefully result in the building being brought back into use and better maintained. This will be of overall benefit to the streetscene and conservation area.
- 7.10 The Town Council has objected to the design of the proposed extensions and alterations to the roof and have suggested that it would be excessive and out of keeping with the surrounding buildings. For the reasons set out above the proposal is considered on balance acceptable in this instance.

c) Residential Amenity

- 7.11 The size of the proposed rooms in each self-contained unit complies with the national space standards set out in emerging policy HB3 of the Places and Policies Local Plan Submission Draft. The policy requires private usable balcony areas for flats and none are proposed. However, providing balconies on this building would result in it appearing out of character with the others in the terrace and this is considered to override any limited benefit to the amenity of future residents. The beach and seafront area would provide better amenity space in this instance.
- 7.12 Policies BE8 of the Local Plan Review and HB8 of the Places and Policies Local Plan Submission Draft states that alterations and extensions should protect the residential amenity of the occupants of neighbouring properties and ensure avoidance of unacceptable overlooking and inter-looking.

7.13 The erection of the rear extension would have an impact on the windows in the rear elevation of No. 5 Marine Terrace. There would be no impact on No. 3 as the proposed rear extension would extend to the same depth as the existing rear extension to that property.

7.13 The extension would affect outlook from the windows in the rear elevation of No.5 but given the limited depth of the extension it is not considered that there would be overbearing impacts sufficient to justify refusing planning permission. The 45 degree guideline set out in policies BE8 and HB8 would not be infringed and due to the existing height of the buildings and given the extension would be to the north of 5 Marine Terrace, it would not result in loss of sunlight or daylight to the relevant windows.

d) Highway Safety

7.14 In terms of parking provision, no off street parking can be provided within the curtilage of the site. Policy T2 of the Places and Policies Local Plan Review states that the Council will use the standards in Table 13.1, taken from the Interim Guidance Note 3 (IGN). The guidance for 1 and 2 bed flats in this location recommends 1 unallocated space per unit as a maximum, thus generating a maximum requirement of 5 spaces.

7.15 Kent Highways and Transportation have not commented on the application as it does not meet their requirement for consultation. This is considered to be a sustainable location close to the town centre. Also other flat conversion have been granted planning permission in this terrace without any off street parking so the principle has already been established in this location. It is considered for these reasons that it would be unreasonable to refuse planning permission on grounds of lack of off street parking.

e) Archaeology

7.16 Policy HE2 of the Places and Policies Local Plan Review states that important archaeological sites, together with their settings, will be protected and, where possible, enhanced. Development which would adversely affect them will not be permitted.

7.17 The application property is within an area identified as having archaeological potential, the county archaeologist was consulted however no response has been received. It is considered and recommended that due to the minor scale of the proposed development it is not necessary to secure a programme of archaeological works.

Environmental Impact Assessment

7.18 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

7.19 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.

- 7.20 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. The CIL levy in the application area is charged at £0 per square metre for new residential floor space.

Human Rights

- 7.21 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

- 7.22 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

- 7.23 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 It is considered that on balance the proposed development would not negatively impact on the surrounding Conservation Area or the streetscene and building itself. It is considered that the amenity of existing and future residents would be safeguarded to an acceptable level and there are no resultant highways or archaeological issues. On balance, the application is recommended for approval with the conditions listed below.

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:

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, numbers: 2007/80/01, 2007/80/06, 2007/80/07, 2007/80/09A, 2007/80/10, 2007/80/20C and OS extract received on 20/09/19

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 Shepway District 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.

4. Details for the parking of a minimum of 5 secure, covered cycle parking spaces, as shown on drawing number 2007/80/20C shall be provided in accordance with the approved plans and kept available for cycle parking purposes in connection with 4 Marine Terrace at all times. These facilities shall be provided before the first occupation of the accommodation hereby approved.

Reason:

To ensure the permanent retention of the space for parking purposes within the curtilage of the site in order to avoid obstruction of the highway and safeguard the amenities of adjacent properties in accordance with policies TR12 and SD1 of the Shepway District Local Plan Review.

5. Facilities for storage of refuse and recycling shall be provided in accordance with the approved plans. These facilities shall be provided prior to the first occupation of the flats and maintained thereafter.

Reason:

To ensure adequate means of refuse collection in the interests of the amenities of residents in accordance with policies SD1 of the Shepway District Local Plan Review.

Appendix 1 – Site Location Plan

Y19/1075/FH
4 Marine Terrace
Folkestone

