

DCL/21/30

Application No: 21/1306/FH

Location of Site: 12 Sandgate Road, Folkestone, CT20 1DP

Development: Conversion of first, second, third floors and loft space from ancillary storage to 8 No. residential apartments including a single storey extension at second floor and associated refuse storage at ground floor.

Applicant: Mr William Brown
Browns Realty Ltd, 32 The Esplanade, Sandgate CT20 3EA

Agent: Mr Samuel Bowman
Cook Associates, Capital House, 3 Jubilee Way, Faversham ME13 8GD

Officer Contact: Emma Hawthorne

SUMMARY

This report considers whether planning permission for the conversion of first, second, third floors and loft space from ancillary storage to 8 No. residential studio apartments including a single storey extension at second floor and associated refuse storage at ground floor should be granted. The report assesses the principle of development and the introduction of apartments in this locality, which lies within the defined built up area of Folkestone town centre. The report recommends that planning permission be granted, subject to conditions, as it is considered that the proposal is acceptable in principle, and the design and layout of the extension would be appropriate in the context of the surrounding environment. The amenities of existing and future occupants are safeguarded. Flood risk, ecology and arboriculture would not be a constraint. There are no highway safety concerns. Therefore, the proposal is considered to be sustainable development in accordance with the development plan policies.

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 following an objection received from the Town Council.

2. SITE AND SURROUNDINGS

DCL/21/30

- 2.1. The application site, 12 Sandgate Road, is a large property situated within Folkestone town centre. It features a retail space at ground floor with three floors above, which are currently used as ancillary storage for the retail unit. The building is of a Regency style but with a modern shopfront having been inserted in the 1980s. The ground floor unit was previously occupied by Clinton Cards but has been vacant for several months.
- 2.2. The wider area is commercial in nature; the application site is next to Poundstretcher, and opposite the East Kent Arms and Wilko. The site is approximately a 15min walk from the town's train station.
- 2.3. The site lies within the defined town centre, the primary shopping area, close to (but not within) the Folkestone Leas and Bayle conservation area, and land stability zone B (low risk).



Figure 1 Site Location Plan



Figure 2 Existing building – principle elevation

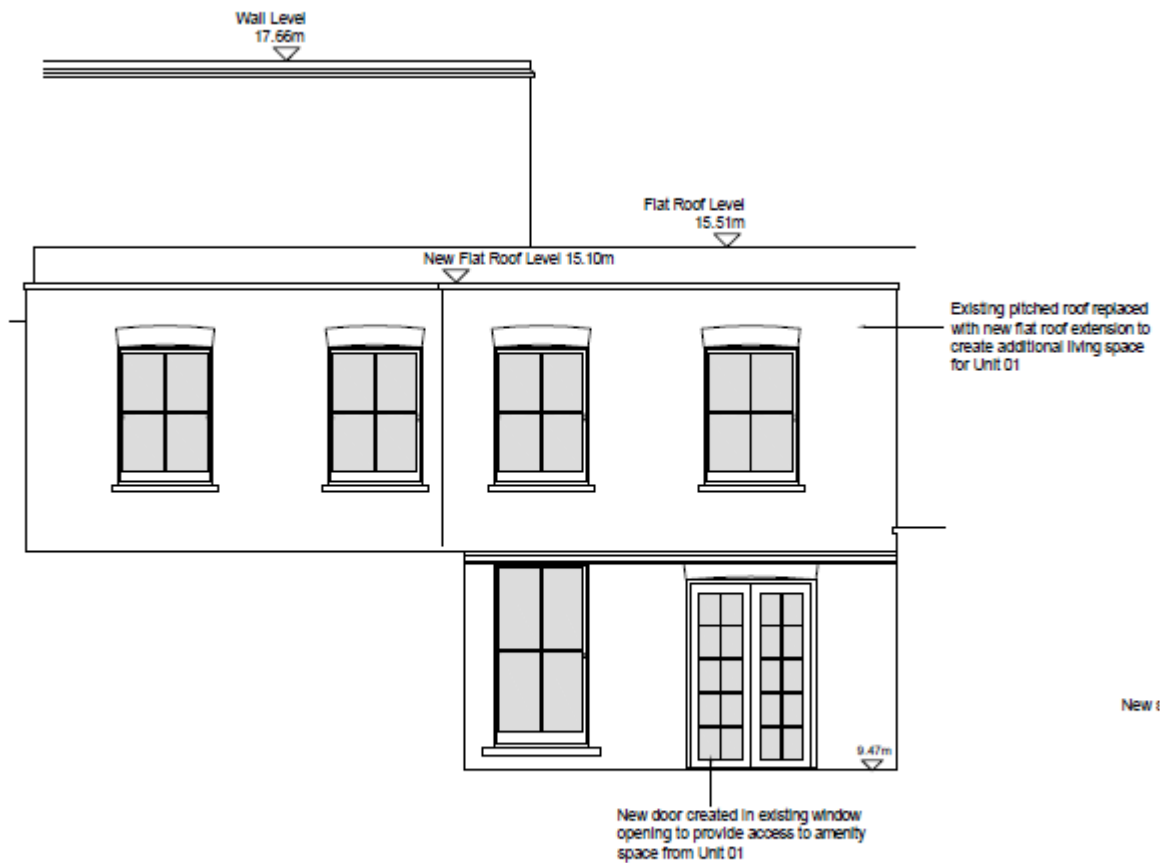
2.4. A site location plan is attached to this report as **Appendix 1**.

3. PROPOSAL

3.1 Full planning permission is sought for the conversion of the first, second, and third floors of the property from ancillary storage to 8 self-contained residential bedsits. This application is a re-submission of previously approved 20/0394/FH for the same development.

DCL/21/30

3.2 The proposal also seeks approval for an extension to the rear of the premises at second floor in order to create a larger duplex apartment.



Proposed Elevation 3 - Inner Southeast Elevation

Figure 3 South east Elevation proposed – showing extension at second floor level

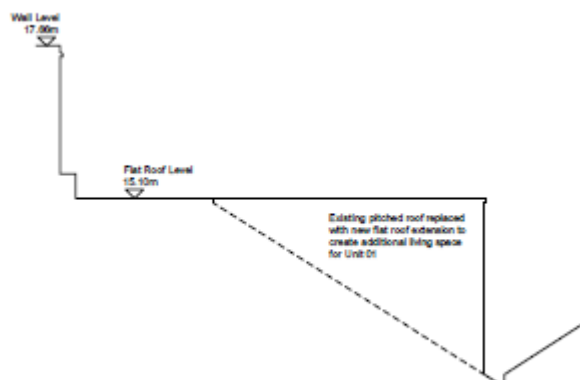


Figure 4 Southwest Elevation proposed – showing extension at second floor level

3.3 Four flats would be provided at first floor (units 01, 02, 03 and 04), two at second floor (units 05 and 06), and two at third floor (units 07 and 08). Unit A would be accessed via a separate staircase to the rear of the property, while all other units will be accessed via a communal stairway situated centrally within the building. All 8 units feature an open plan living/dining/kitchen area and a shower room, and would have an internal floor space of at least 37sqm, except for unit 5 which has an internal floor space of 35sqm.

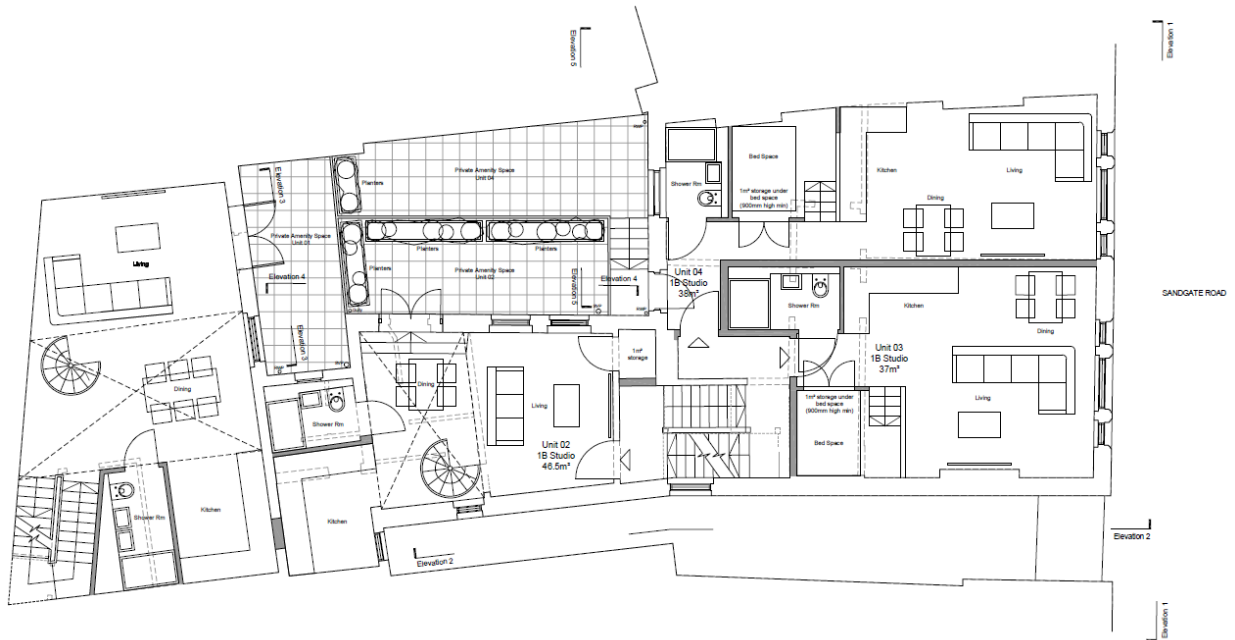


Figure 5 First Floor Plan proposed

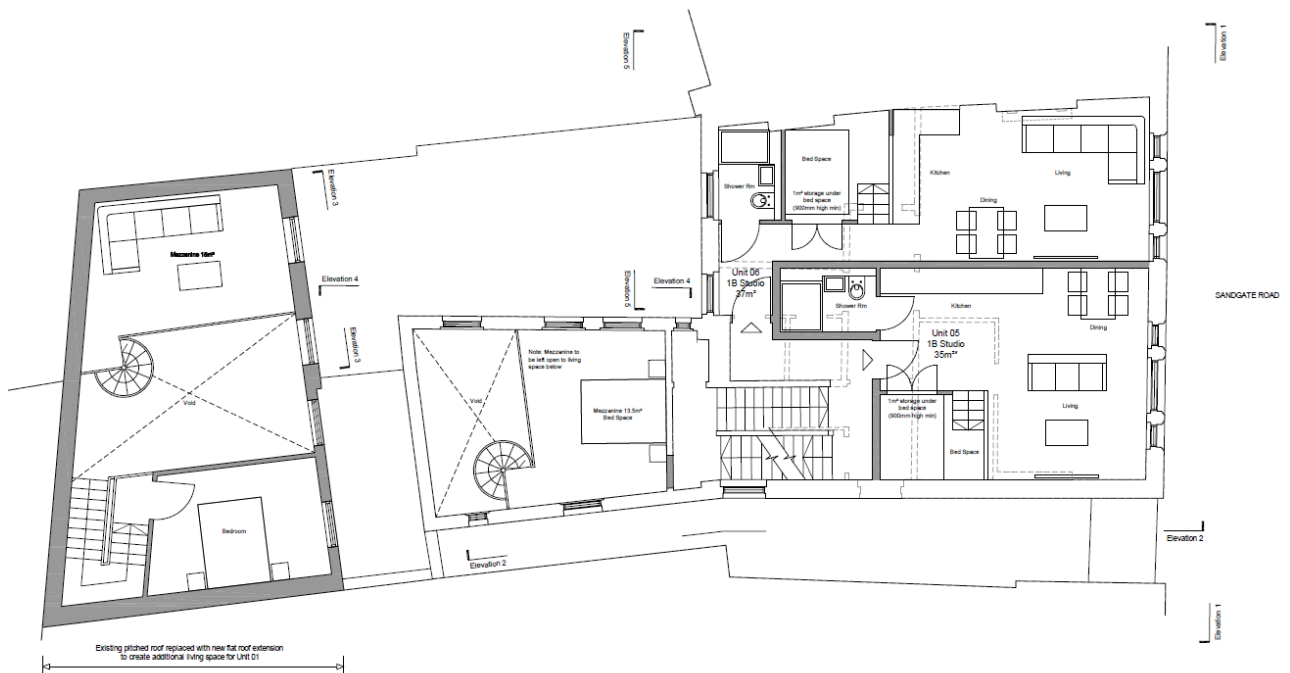


Figure 6 Second Floor Plan proposed

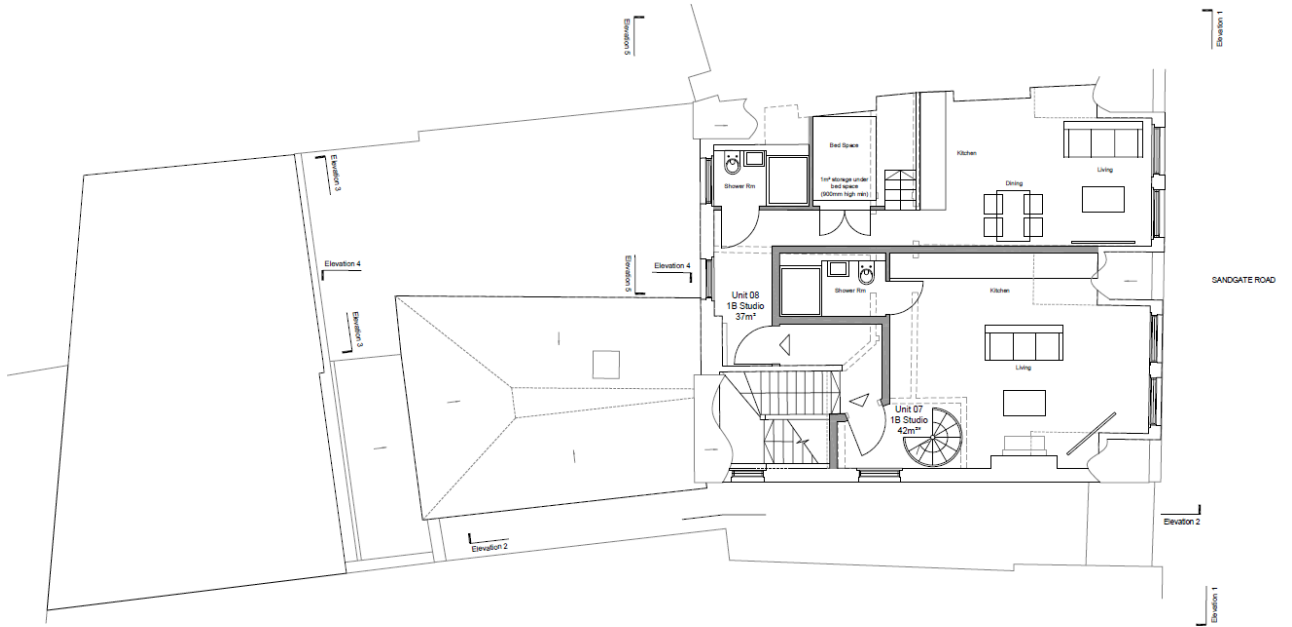


Figure 7 Third Floor Plan proposed

- 3.4 The application also incorporates the provision of communal waste bin storage on the ground floor, and pedestrian access is gained from Sandgate Road. A roof terrace is proposed for some of the proposed units at first floor level.

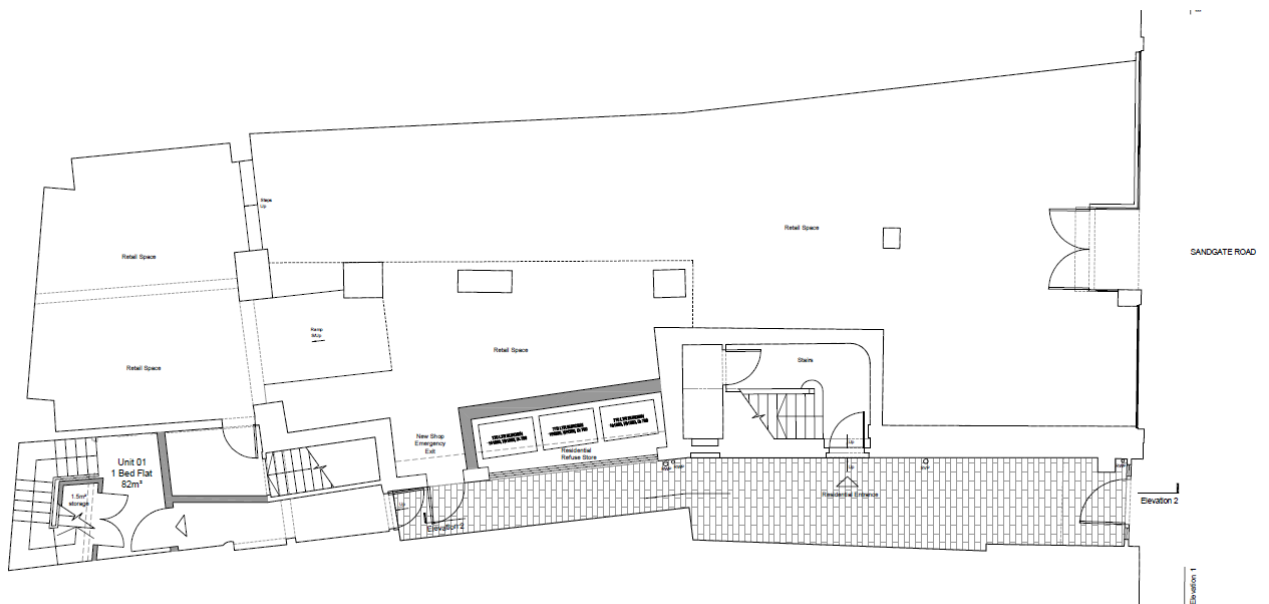


Figure 8 Ground Floor Plan proposed – showing bin storage and access to unit 01

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

Design and Access Statement (dated November 2020)

The Design and Access Statement describes the site and surrounding area and summarises a recent planning consent which was recently granted for the conversion of the existing first, second and third floors from ancillary storage to 8 no. residential studio apartments under application 20/0394/FH. The report states that the proposal follows the same principles of the previous approval for the conversion of the upper floor spaces into 8 studio apartments, however the applicant considers that this proposal makes better use of the existing available space and provides a better internal layout to each of the proposed units thereby offering a better standard of living for future occupiers. The final section of the statement provides a summary of the proposed scheme. It is concluded that the proposed development would not materially alter the appearance of the existing building and will therefore not have an impact on the street scene. It is considered that the proposed alteration and extension to the rear roof to increase the size of proposed Unit 01 will not have any material impact on adjoining amenity.

4. RELEVANT PLANNING HISTORY

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

20/0394/FH	Conversion of first, second and third floors from ancillary storage to 8 no. residential studio apartments.	Approved with conditions 2020.
CH/3/60/220, CH/3/73/379, and 83/0052/SH	New shopfront applications	Granted planning permission in 1960, '73, and '83 respectively.

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

Folkestone Town Council: Object due to over intensive use of the site and the lack of cycle storage.

Environment Agency: Finds the scheme to have low environmental risk and therefore has no comments.

DCL/21/30

Southern Water: No objection subject to details of foul and surface to be provided prior to commencement of development.

KCC Highways and Transportation: Holding objection as no cycle parking provision is proposed within the site.

Affinity Water: No objection.

Local Residents Comments

5.2 Forty two (42) residents have been consulted. No responses have been received.

5.3 Ward Member

No response.

5.4 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 Local Plan 2013.

6.2 The Folkestone & Hythe District Core Strategy Review Submission Draft was submitted to the Secretary of State on 10 March 2020. Inspectors were appointed to examine the plan on 19th March 2020 and public hearings were held from 15th to 18th December 2020, from 5th to 12th January 2021 and from 29th June to 1st July 2021. The Inspectors wrote to the council on 1st July 2021 to state that the Core Strategy Review complies with the duty to cooperate and can be made 'sound' by amendment through main modifications. The Inspectors followed up their initial assessment by letter on 16th July 2021, stating that, subject to main modifications concerning detailed policy wording, they consider that the plan's spatial strategy and overall approach to the district's character areas and settlements is sound. The Inspectors find that the housing requirement is justified and that the Core Strategy Review will provide an adequate supply of housing over the plan period and at least a five year supply of housing land at the point of adoption. In accordance with National Planning Policy Framework (2021) paragraph 48, the policies in the Core Strategy Review should therefore be afforded significant weight, having regard to the Inspectors' outline of main modifications required.

6.3 The relevant development plan policies are as follows:-

Places and Policies Local Plan 2020

RL2 – Folkestone Town Centre

HB1 – Quality Places through Design

HB3 – Internal and External Space Standards

HB8 – Alterations and Extensions to buildings
T2 - Parking Standards
T5 – Cycle Parking
CC2 – Sustainable design and construction

Shepway Local Plan Core Strategy (2013)

DSD – Delivering Sustainable Development
SS1 – District Spatial Strategy
SS2 – Housing and economy
CSD1 – Balanced Neighbourhoods for Shepway

Core Strategy Review Submission draft (2019)

SS1 – District Spatial Strategy
SS2 – Housing and the Economy Growth Strategy
CSD1 – Balanced Neighbourhoods for Shepway

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

Supplementary Planning Guidance/Documents

Kent Design Guide (2006/2007)

Government Advice

National Planning Policy Framework (NPPF) 2021

6.5 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.

National Planning Policy Guidance (NPPG)

Design: process and tools
Climate Change
Flood Risk and Coastal Change
Natural Environment

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'.*

N3 - Support rich and varied biodiversity

7. APPRAISAL

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

- a) Background
- b) Principle of development and sustainability
- c) Design/layout/visual amenity
- d) Residential amenity of future occupants, including space standards
- e) Residential amenity
- f) Highway safety

a) Background

7.1 This application follows on from recent approved scheme under application reference 20/0394/FH, which granted planning permission for the conversion of first, second and third floors from ancillary storage to 8 no. residential studio apartments. This application seeks to redesign the approved scheme of 8 studio apartments in order to create a different layout for each of the units from that approved under the previous application as a result of the proposed rear extension under this application. The proposal also seeks to make use of additional existing available space within the premises which was not incorporated within the previous scheme and for an extension to the rear of the premises at second floor in order to create a larger duplex apartment. The application also incorporates the provision of communal waste bin storage on the ground floor which was required by way of a planning condition under the previous application but was not allowed for within the original drawings.

b) Principle of development and sustainability

7.2 The application site comprises the upper floors of an existing building within the town centre of Folkestone. In terms of residential development, this is one of the most sustainable locations in the district, and the scheme therefore accords with the thrust of local and national policy in terms of achieving sustainable development. Conversion of the upper floors would also retain the ground floor retail unit in economic use and an active frontage in the primary shopping area, while making viable use of the rest of the building.

DCL/21/30

- 7.3 It is further noted that planning permission for the conversion of first, second and third floors from ancillary storage to 8 no. residential studio apartments was recently granted under reference 20/0394/FH.
- 7.4 Therefore, the development of the upper floors of the application site for a residential use is considered acceptable in principle, subject to specific criteria which are considered below under the relevant sub-headings.

c) Design/layout/visual amenity

- 7.5 The proposal seeks to convert the upper floors of the existing building into apartments, and extend to the rear with a single storey second floor extension. The Regency style front elevation would remain, with no external alterations proposed thereby the building's appearance when viewed from Sandgate Road and the public highway would be unchanged from the existing. A new service door is proposed for the residential bin storage and the new store emergency exit would be created at ground floor to the southwest elevation. This would not have a detrimental impact in the character and appearance of the wider street scene.
- 7.6 The proposed rear extension, at second floor level, would increase the size of proposed Unit 01 by extending the existing flat roof element outwards, and altering the mono-pitched roof form to a flat roof thus increasing the ceiling height within the building. The proposed rear extension would not extend beyond the existing footprint of the property, and given that it is enclosed by neighbouring properties and rear servicing, the proposal would not be seen from any public realm. Overall, the proposed extension is considered to be subordinate in scale and would be an appropriate addition to the host building and would not detract from its appearance.
- 7.7 As noted above, the site lies adjacent to the Folkestone Leas and Bayle conservation area but is not within it. Given the site's proximity to the conservation area it has the potential to impact the setting of it, however, given the small change to the rear elevation caused by the extension, there is considered to be limited impact on the adjacent conservation area. The proposal is therefore considered acceptable in this regard.
- 7.8 In summary, given the minor external alterations proposed to enable the development of residential studios and which primarily affect the rear elevation of the property, it is considered that the development can therefore be appropriately accommodated on the site without causing harm to the character and appearance of the surrounding area. The proposal is considered to accord with policy HB1 of the Local Plan (2020) and section 12 of the NPPF.

d) Residential amenity of Future Occupants and Space Standards

- 7.9 With regard to future occupants of the proposed development, policies HB1 and HB3 of the Local Plan (2020), and paragraph 130 of the NPPF, require that consideration be given to their residential amenity and space standards.
- 7.10 The proposed layout would provide suitably sized rooms with adequate light as well as outlook to all habitable spaces. The internal floorspace of the majority of the proposed apartments exceeds the minimum required by the national standard and they would

DCL/21/30

be square or rectangular proportioned and thus properly usable, as outlined in the table below. All habitable rooms are served by full-size windows and would receive a good level of natural daylight. While it is acknowledged that the view from some of the rear windows would be overlooking the service yard, they will nonetheless provide natural light and ventilation to the flats, and this is not uncommon in residential accommodation over shops in Sandgate Road.

Room	GIA proposed (sq m)	GIA required (sq m)
Flat 1 (1 bed)	82	50
Flat 2 (studio)	46.5	37
Flat 3 (studio)	37	37
Flat 4 (studio)	38	37
Flat 5 (studio)	35	37
Flat 6 (studio)	37	37
Flat 7 (studio)	42	37
Flat 8 (studio)	37	37

- 7.11 As noted in the table above, unit 05 is 2m² below the recommended GIA for studio apartment, however this unit has been designed to create a more efficient internal layout and arrangement of space from that of the previous scheme. It is considered that although this units it is marginally below the minimum 37m² its efficient layout reduces the amount of circulation space from the previous approval, meaning that future occupiers will enjoy an acceptable standard of living.
- 7.12 Unit 01, 02 and 04 would also benefit from a reasonable level of outdoor amenity space via roof top terrace. The previously approved scheme did not provide any external amenity space for the new residential units and therefore this is considered to be an improvement on the previous approval. Further to this, the site is within walking distance of various public open spaces, including the seafront and The Leas which can provide future residents with recreation opportunities.
- 7.13 With regards to noise and disturbance from neighbouring uses, it is not considered that the surrounding uses (mainly retail) would give rise to harmful levels to warrant refusal. The application site is located within a town centre location, and therefore it is accepted that there will be noise from the general hustle and bustle of shoppers and nearby uses, however the units would be required to provide sound insulation as required by Building regulations which would ensure future occupiers would be provided with a good level of amenity.
- 7.14 In light of the above, it is considered that future occupants of the apartments 01, 02 and 04 would have good access to outdoor space. Further to this, the seafront and beach is within walking distance for the apartments which do not benefit from their own outdoor amenity space.

e) Residential amenity

- 7.15 PPLP policy HB1 seeks to ensure that development does not lead to an adverse impact on the residential amenities of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook. In assessing the potential impacts of new build residential development on neighbouring dwellings, the

DCL/21/30

Council will apply the same guidelines as for alterations and extensions set out in Policy HB8.

- 7.16 The application site is situated within a town centre location. The proposed extension would be to the rear of the site which is a service yard and all new fenestration would have outlook into the yard. Further to this, the proposal seeks a roof terrace at first floor level which would also have limited views across to the roof top of the neighbouring building. It is noted that this neighbouring building is in office use to the upper floors and therefore would not result in privacy concerns or harm to residential amenity. The proposed extension is small in scale and seeks to increase the height of an existing roof to correspond with an existing flat roof and as such would not negatively impact any neighbouring amenity.
- 7.17 The proposed change of use would introduce residential uses to the upper floors of the application site. Given the town centre location of the site, it is not considered that the proposed residential use would generate noise and disturbance concerns for neighbouring occupiers.
- 7.18 Overall, considering the position, orientation and distance to residential amenity, the proposal would not harm the amenity of these occupiers and therefore the proposal accords with policy HB1 of the Local Plan (2020) and paragraph 130 of the NPPF.

f) Highway Safety

- 7.19 No parking is proposed to serve the residential uses however, the site is in a very sustainable town centre location where the adopted Kent Vehicle Parking Standards accept nil parking provision. The town centre shops and amenities are immediately surrounding the building, there are bus stops nearby, and the train station is a short walk away. Public car parks are available locally if essential for occupants but given the location it is likely that occupants may be inclined not to own a vehicle.
- 7.20 Cycle storage has not been incorporated within the site, partly due to limit space at ground floor level for the residential use site given that the retail unit is located here. It is noted that the Town Council and KKC Highways and Transportation request cycle parking provision for the proposal, however, this was not raised when the previous application was determined, so cycle storage was not included. Given the similarities between this scheme and the previous approved scheme, it would be unreasonable to insist on it now.
- 7.21 Bins for the dwelling have been proposed within the site, and are proposed to be located on the ground floor close to the residential entrance/stairwell. With regards to weekly refuse / recycling collection, this would take place on street, with bin store locations provided adjacent to the site entrance to reduce the operative carry distance to no greater than 25 metres.
- 7.22 Overall, it is concluded that the proposal would not give rise to unacceptable impacts in highway safety terms.

Environmental Impact Assessment

DCL/21/30

7.23 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

7.24 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.

7.25 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 development site is located within charging zone A where £0/sqm applies to residential development and as such the development is not CIL liable.

Human Rights

7.26 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

7.27 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

DCL/21/30

7.28 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 seeks planning permission for the conversion of first, second, third floors and loft space from ancillary storage to 8 No. residential apartments including a single storey extension at second floor and associated refuse storage at ground floor. The site is considered to be a sustainable location within the town centre, where the principle of residential development is generally acceptable. While objections to the proposals are noted the scheme is considered to be acceptable in terms of scale, design, amenity impacts and highway safety and convenience.

8.2 In light of the above, it is considered that the proposal accords with the adopted Development Plan subject to appropriate conditions. As such it is recommended that planning permission be granted, subject to the conditions set out below (subject to the Chief Planning Officer's delegated authority to agree and finalise the wording of the conditions and add any other conditions that he considers necessary).

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 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 details shown on the submitted plans;

- Drawing no. 001-P1
- Drawing no. 022-P1
- Drawing no. 023-P2
- Drawing no. 024-P2
- Drawing no. 025-P2
- Drawing no. 026-P2
- Drawing no. 027-P2
- Drawing no. 030-P1

DCL/21/30

- Drawing no. 031-P1
- Drawing no. 032-P1

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

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. Construction shall not commence until written documentary evidence has been submitted to, and approved in writing by, the local planning authority proving the new dwellinghouse will achieve a maximum water use of 110 litres per person per day as defined in paragraph 36(2)(b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of a design stage water efficiency calculator.

The new dwellinghouse hereby permitted shall not be occupied until written documentary evidence has been submitted to, and approved by, the local planning authority, proving that the development has achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2)(b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of a post-construction stage water efficiency calculator.

Reason: To require all new dwellings to incorporate water efficiency measures as Shepway is identified as a water scarcity area.

5. The bin store as shown on the hereby approved plans shall be fully implemented prior to the first occupation of the dwellings hereby permitted and shall thereafter be retained and maintained.

Reason: To ensure adequate means of refuse collection in the interests of the amenities of residents in accordance with the Development Plan.

Informatives:

1. Your attention is drawn to the requirements of the Building Regulations 2000 and the possibility of the need to obtain consent under such regulations.

Prior to implementing this permission, you should seek advice from Building Control as to whether or not to make an application. Advice and application forms are available from the Civic Centre, Folkestone (telephone numbers 01303 853538). Alternatively another building control body may be able to assist.

DCL/21/30

2. Please view the Considerate Constructors Scheme at <http://www.ccscheme.org.uk/index.php/company-registration/how-to-be-veryconsiderate/company-code-of-considerate-practice>.
3. With regards to condition 13 above, water efficiency calculations should be carried out using 'the water efficiency calculator for new dwellings' <https://www.gov.uk/government/publications/the-waterefficiency-calculator-for-new-dwellings>.