

Application No: 21/1177/FH

Location of Site: 63-67 Cheriton High Street, Folkestone, CT19 4HA.

Development: Proposed conversion of existing vacant ground floor office suite, into two self-contained one-bedroomed flats, including minor external alterations.

Applicant: Coral Ridge Ltd.

Agent: SI Chartered Building Surveyors, 8 Jointon Road, Folkestone, CT20 2RG

Officer Contact: Ross McCardle

SUMMARY

This application seeks planning permission for change of use of redundant ground floor offices to two no. one-bed flats. The site is within a sustainable urban location where the principle of residential development is generally acceptable. Evidence has been provided to demonstrate that the unit was marketed for continued commercial use for a period of at least 12 months, but with no interest/offers. The proposed flats accord with the minimum national floorspace standards, and would provide a good standard of residential amenity for occupants without causing any harm to the amenity of neighbouring residents. The application is therefore recommended for approval.

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 because Folkestone Town Council have objected, as set out at 5.1 below.

2. SITE AND SURROUNDINGS

2.1. 63-67 Cheriton High Street is a mid-terrace property situated within the built-up area. It forms part of a row of Victorian/Edwardian properties, many of which feature commercial units at ground floor with flats above. The front of the building has been altered at some stage in the past (most likely in the 1970s although no such records are available) with the traditional frontage replaced by square windows and pebble-dash render.

2.2. The wider area is characterised by terraced properties; those fronting onto the High Street most often have commercial uses at ground floor and flats above. The residential streets to the rear are characterised by terraced properties and on-street parking. All Souls Church, opposite, is listed.

2.3. The site is not within a conservation area, flood zone, or other sensitive designation. The area is subject to CIL, but at a rate of £0 per sqm.

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



Fig.1 – Application property (to left of scaffold)

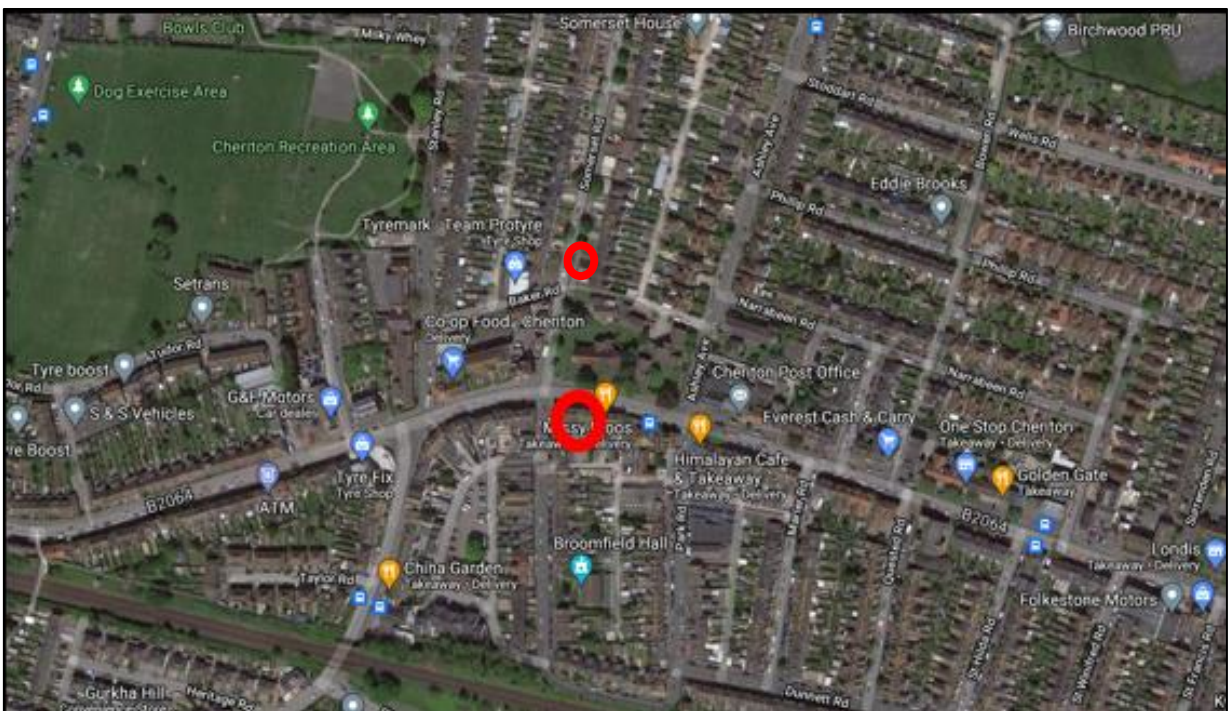


Fig.2 – site location

3. PROPOSAL

- 3.1 This application seeks planning permission for change of use of the existing vacant ground floor office to two self-contained one-bed flats.
- 3.2 Unit 1 would be situated to the rear of the building, with access via an existing rear doorway. The unit would contain a bedroom, living room, kitchen, and shower room, with a total floor area of approx. 56sqm.
- 3.3 Unit 2 would be to the front of the building, with access via a new front door that would replace the existing glazed office-style doors opening onto the High Street. This unit would also contain a bedroom, shower room, lounge, and kitchen with a total floor area of approx. 49sqm.
- 3.4 A small communal courtyard lies to the rear of the building, with a car park area beyond that accessed from both Broomfield Road and Park Road.
- 3.5 The submitted Design & Access Statement comments:

The alterations to the ground floor will have limited external alterations with the provision of a revised entrance door off Cheriton High Street and a new door and window to the rear. The remaining alterations have been limited to the removal of current internal office partitions, with a minimum disruption to the existing building and therefore to the existing residential units above.

Flat No. 1 will be accessed from the rear from an existing doorway, and it will include a separate kitchen, bedroom and living room. The second flat will reuse the current access from the front of the property and also will be a one bedroomed unit. The door to the rear will allow for access to the rear from the front flat and access to the existing bin and recyclables store which will be used by the new flats. The minimum external alterations have therefore been allowed for the layout. The design of the flats has been in accordance with the 'Technical Housing Standards – nationally described space standard' which was issued in 2015 and is based on a one bedroom/one person unit with a minimum floor area of 39m². The floor areas will fully comply with this requirement along with the minimum width of bedrooms and living spaces. Required storage under these standards is also included within the design.

- 3.6 The application is supported by relevant drawings, and details from estate agents that have been responsible for marketing the property (Motis Estates Chartered Surveyors). The estate agent confirms that the property has been marketed since 3rd December 2019 with no offers received. This is explored in more detail below.

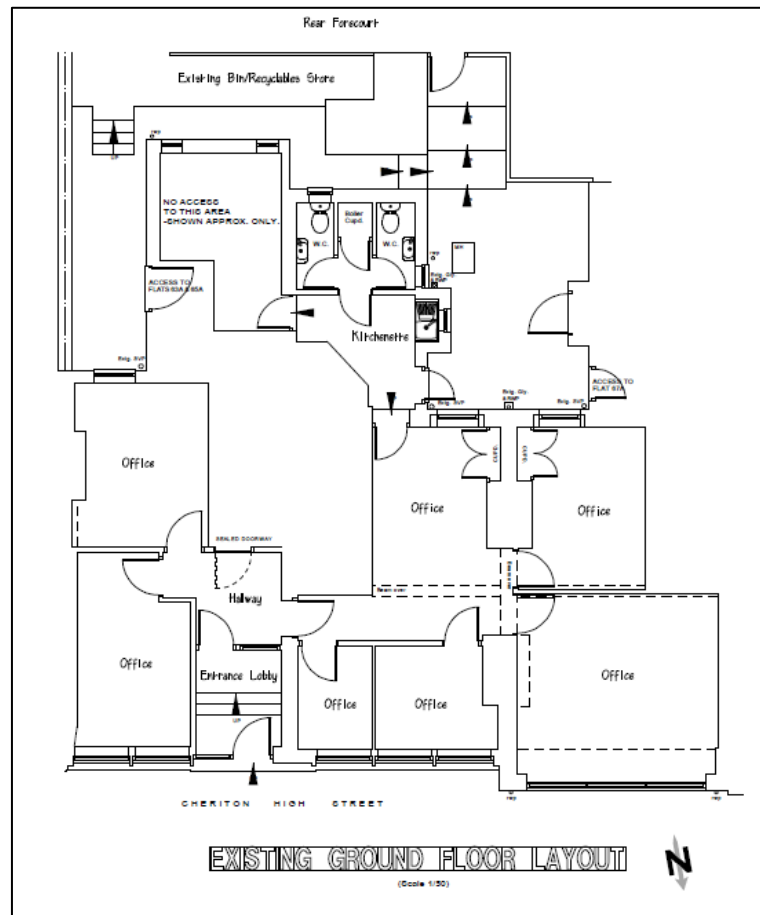


Fig.3 – existing layout

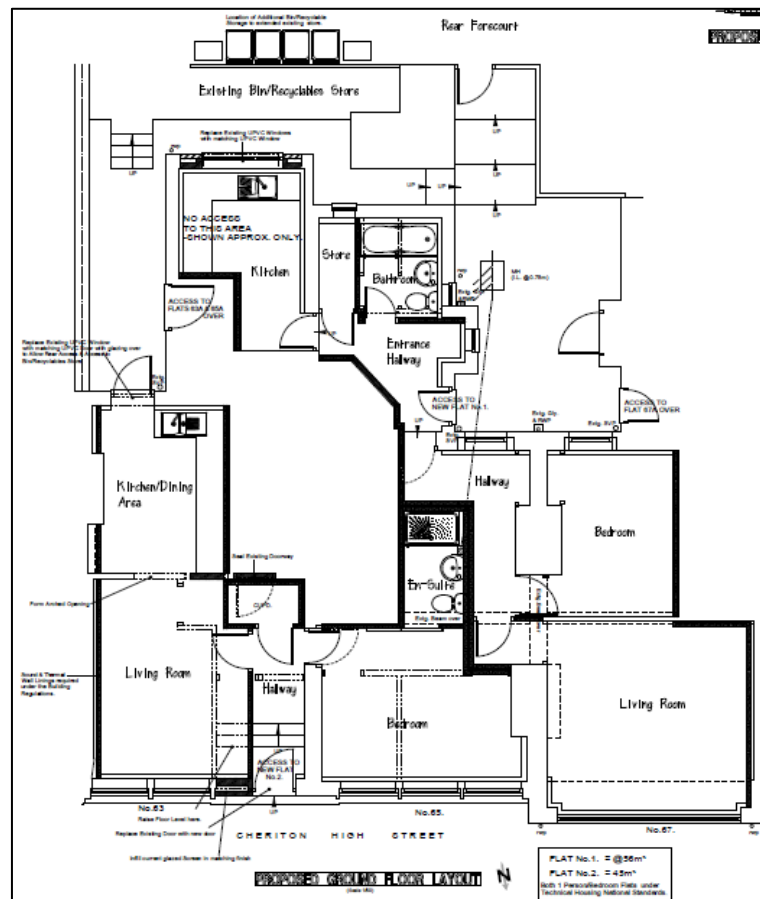


Fig.4 – Proposed layout



Fig.5 – Existing and proposed front elevation

4. RELEVANT PLANNING HISTORY

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

98/0832/SH	Change of use of first and second floors from offices to maisonettes.	Approved
86/0507/SH	Change of use from shop to office (no.67)	Approved

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

Folkestone Town/Parish Council objects for the following reasons:

- Insufficient marketing evidence provided;
- Inadequate parking in the local area; and
- No cycle parking provided.

Local Residents Comments

5.2 24 neighbours directly consulted. No comments received.

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 Places and Policies Local Plan 2020 and the Core Strategy Local Plan 2013.

6.2 The Folkestone & Hythe District Council Core Strategy Review Submission Draft (2019) 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

HB1 (quality places through design)
HB3 (space standards)
HB8 (alterations and extensions)
E2 (existing employment sites)
T2 (parking standards)
T5 (cycle parking)

Core Strategy Local Plan (2013)

DSD (delivering sustainable development)
CSD1 (balanced neighbourhoods)

CSD1 states: Development resulting in new housing (class C3) will be allowed in line with policy SS3 (optimising distinctiveness, appeal, sustainability and accessibility of places) where it contributes to the creation of balanced neighbourhoods through high-quality design proposals which address identified affordable housing needs.

Core Strategy Review Submission draft (2019)

DSD (delivering sustainable development)
CSD1 (balanced neighbourhoods)

CSD1 states: Development resulting in new housing (class C3) will be allowed in line with policy SS3 (optimising distinctiveness, appeal, sustainability and accessibility of places) where it contributes to the creation of balanced neighbourhoods through high-quality design proposals which address identified affordable housing needs.

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

Government Advice

National Planning Policy Framework (NPPF) 2019

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.

7. APPRAISAL

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

- a) Principle of development and sustainability
- b) Design/layout/visual amenity
- c) Residential amenity
- d) Highway safety

a) Principle of development and sustainability

7.2 The site lies within the defined built up area a highly sustainable urban location very close to local shops, services, amenities, and public transport links. Residential development is therefore acceptable in principle.

7.3 The applicant bought the property in 2016 and has been marketing it for sale or lease since then, first with Fell Reynolds and more recently with Motis. The submitted Design & Access Statement sets out:

The current ground floor office suite has generally been empty since the Applicants purchased the property in March 2016 despite continual marketing with two local commercial agents. Just one office in the suite being occupied for a short period, before the occupiers retirement. It is therefore considered, combined with the current situation with the pandemic, that there is abundant vacant office space and therefore it is unlikely in the near future that a suitable occupier will be found for these offices.

7.4 As set out above: the property has been marketed since 3rd December 2019. It was advertised for commercial purposes by way of a sales board at the property, and the usual raft of online property websites (Motis' own website, Rightmove, Zoopla, etc.). It was first advertised as two units, then as a single unit from 25th June 2020.

- 7.5 Three viewings were arranged but did not follow through. A tenant was found for the property on a very short-term basis from 21st September 2020 to 7th January 2021, but other than this brief period the property has remained empty and no further enquiries/offers have been received. Also of note is that the estate agent / applicant has entertained ideas of other uses (a care home considered taking the building on, but did not pursue the matter) but also with no interest/offers.
- 7.6 The marketing report from Motis Estates examines the wider picture in terms of commercial lettings in general and this property specifically. They suggest that the unit is not fit for purpose in terms of modern commercial business requirements, and also note that the Covid pandemic has significantly changed the landscape with many businesses now opting to work from home, and demand for commercial space having dropped significantly. While this is a relatively recent issue, combined with the sustained marketing exercise I am satisfied that the applicant has met the tests required by the Council's policies in terms of marketing the building for continued economic use.
- 7.7 I am satisfied that the principle of development is acceptable.

b) Design/layout/visual amenity

- 7.8 Very few changes are proposed to the exterior of the building and in that regard the development would have very limited impact upon the character, appearance, and visual amenity of the area. The replacement of the existing glass door with a composite front door and infill panel would have very little impact. As such the proposed changes to the fenestration are considered to be acceptable.

c) Residential amenity

- 7.9 Internally the proposed units would provide an acceptable standard of residential amenity for occupants; all rooms are well-proportioned and capable of accommodating furniture, and with windows to provide natural light. There would be some noise and disturbance arising from the location of the site on the High Street, but this is to be expected from any town centre residential uses and does not generate sufficient reason to refuse permission in this instance.
- 7.10 Outdoor space at the site is very limited with only a small communal courtyard to the rear. However the units are one-bed and therefore not likely to be occupied by families, and Cheriton Recreation Area is nearby and offers opportunity for outdoor amenities. Given this, and the fact that this proposal secures a viable use for the property, I am inclined to accept a lack of outdoor space in this instance.
- 7.11 Residential use as proposed would not cause any harm to the amenity of neighbouring residents over and above office or commercial use of the premises.

d) Highway safety and amenity

- 7.12 The site is within a highly sustainable urban location close to shops, services, and public transport links, and where the current adopted Kent Vehicle Parking Standards advise that nil parking provision is acceptable. Other modes of transport are available (bus, train, cycling, walking, etc.) and to a certain degree difficulty parking would encourage occupants to explore these rather than rely on private vehicles. This is in

accordance with the Council's general drive towards lower carbon emissions and encouraging sustainable development as a whole.

- 7.13 The drawings do show space for the location of a bicycle rack and an extended waste area for an additional bin and recycling store. There are therefore no objections on this basis either.

Environmental Impact Assessment

- 7.14 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

- 7.15 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. There is no CIL requirement for this development.
- 7.16 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

- 7.17 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.

Public Sector Equality Duty

- 7.18 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

7.19 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 This application seeks planning permission for change of use and conversion of a redundant office building to residential flats. The property has been marketed for over twelve months with no viable interest in continued office or commercial use, and the principle of development is therefore acceptable. The proposed conversion works would provide a good standard of residential amenity, and the scheme secures improvements to the frontage of the building, which would be a benefit to the character and appearance of Cheriton High Street.

8.2 The proposal is therefore considered to be acceptable, and the scheme is recommended for approval.

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. No development shall be carried out other than in accordance with drawing: 011/21/01 Rev: A.

Reason: For the avoidance of doubt.

3. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 08.30 – 17.00 hours, Saturdays 08.00 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

Appendix 1 – Site Location Plan