

OFFICERS REPORT

Application No: Y19/0164/FH

Location: 3 Cornwallis Avenue Folkestone Kent CT19 5JA

Proposal Erection of a roof extension, installation of a total of x7 dormer windows, three storey front extension, three storey rear extension and installation of 2 balconies to the rear elevations (Re-submission of Y18/1485/FH).

ASSESSMENT

Performance data:-

Date application valid: 13.02.2019

Applicable 8/13/16 week target date: 10.04.2019

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) ? N

If Yes, revised 8/13/16 week target date:

Is the application being determined after 26 weeks without a PPA or a PEA? N

SITE VISIT

Carried out site visit on 03.01.2019

The site and proposals were assessed from on site and from Cornwallis Avenue and the following key features noted:

SITE

The application property is located within the settlement of Folkestone, on Cornwallis Avenue which is characterised predominately by large detached properties set back from the road with large driveways providing off street parking.

The application property is a large, two storey, detached dwelling set back from the road with an area providing off street parking to the front of the dwelling. The main roof is hipped and there is a single storey roof covering the entrance porch and the single storey garage located to the side elevation of the dwelling. The property has been constructed with facing brickwork, plain brown roof tiles and there is white uPVC fenestration throughout.

The application site is located within an Area of Special Character.

RELEVANT HISTORY

Y06/0135/SH Erection of single storey front and rear extensions, erection of first floor side extension and erection of front porch. Approved with conditions

Y09/0753/SH Erection of a 1.6m high wall/railing to front boundary. Approved with conditions.

Y18/1485/FH Erection of a roof extension, installation of a total of x5 dormer windows, three storey front extension, three storey rear extension and installation of x2 balconies to the rear elevations. Refused

PROPOSAL

This application seeks planning permission for the erection of a roof extension to accommodate a loft conversion, installation of a total of x7 dormer windows, a three storey front extension, three storey rear extension and the installation of x2 balconies to the rear

elevations.

The proposal seeks to increase the ridge height of the main roof by approximately 0.7 metres to meet the highest point of the existing roof, with this roof continuing over the existing single storey garage and also includes the installation of a three storey pitched roof front extension which would host the entrance door and would be fully glazed. This element would be approximately 8.2 metres in height, approximately 3 metres in width and would extend from the front elevation of the existing property by approximately 0.8 metres.

To the rear, a two storey extension is proposed to be erected which would project from the existing rear elevation by approximately 6.5 metres, with an approximate width of 7.4 metres and height of approximately 8.25 metres. This is proposed to have a balcony located to the rear elevation and would include the installation of x2 doors to the rear. Another balcony is also proposed to be installed to the first floor rear elevation which would extend rearwards by approximately 1.5 metres.

The x2 front dormer windows and x1 rear dormer window would be approximately 1.7 metres in height, 2 metres in width and would extend from the roof slope by approximately 1.9 metres at their furthest point.

The proposal would increase the number of bedrooms within the property from 4 to 7.

This re-submission seeks to separate the previous large dormer windows to either side of the roof slope on the proposed extension into x2 lots of x2 dormer windows and includes a rooflight in between these dormers. This revised proposal also seeks to step in the proposed two storey extension to provide a rear balcony.

The proposal would be finished with facing brickwork to match existing, antique brown plain tiles to match existing, white PVCu casement windows and white PVCu doors.

CONSULTATION RESPONSES

Folkestone Town Council - no objection

REPRESENTATIONS

1 representation received and is available in full on the planning file. The main points raised are summarised below.

- o Plans turn the property from a two storey property to a three storey house - this is not in keeping with other properties in the road, which are two storey
- o Not been free from nearby building works for some years and now this application plans to continue the situation
- o Under the covenant applying to Radnor Estates property sites, running a business from a house is not permitted
- o There are frequent deliveries and building material/waste parked on the front drive, this is happening from this address

PUBLICITY

Neighbours notified by letter. Expiry 03.04.2019

RELEVANT POLICIES

Shepway District Local Plan Review saved policies: SD1 BE1 BE8 BE12 TR12

Shepway Core Strategy Local Plan: DSD

The Submission draft of the PPLP (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, and given the relative age of the saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection.

Core Strategy Review Submission Draft 2019:

The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection.

APPRAISAL

The main issues to be considered are design and visual impact, the impact on amenities of the neighbouring properties and the impact upon the Area of Special Character.

Design and visual impact

Policy BE1 states that development should accord with existing development in the locality, where the site and surrounding development are physically and visually interrelated in respect of building form, mass, height and elevational details. BE8 states that extensions to existing buildings should reflect the scale, proportions, materials, roof line and detailing of the original building and emerging policy HB8 seeks for extensions to not have a detrimental impact on the streetscene.

The proposed two storey gable ended rear extension would protrude from the rear elevation by approximately 8 metres, which would increase the length of the north side elevation to be approximately 15 metres. The revised plans submitted under this application have reduced the length of the extension at first floor level by approximately 1.3 metres to accommodate a rear balcony above a single storey element. Despite this however, the proposed total rearward projection remains at approximately 15 metres and it is not felt that these slight amendments to the scheme have overcome the previous reason for refusal. It is therefore considered that this extension, due to its length and comparable height with the main roof, would fail to serve as a subservient addition to the host property and would introduce an unacceptable amount of mass and bulk to the host dwelling, detrimentally altering its character.

Turning to the front elevation, the proposal to extend over the existing single storey garage combined with the overall increase in the existing ridge height and introduction of a glazed three storey extension is felt would add a substantial amount of mass and bulk to the property. This is felt would significantly alter the scale and proportions of the existing property to the

detriment of the existing character of the dwelling and the surrounding streetscene.

Policy BE8(d) states that permission will not be granted for loft conversions requiring dormer extensions which are large in proportion to the existing roof, as these can completely alter the proportion of the building, presenting a top-heavy and flat-roofed appearance and applications for extensions in roof spaces which front a highway will be refused where the proposed structure would damage the character of the existing building and would appear incongruous in the streetscene.

With regard to the proposed front dormer windows, despite there not being any dormer windows on the existing property, it is not felt these would significantly alter the character of the host dwelling nor appear significantly out of character from within the streetscene. As such there is no objection to be had to these. Turning to the dormer windows on the proposed rear extension, these have been amended following the previous refusal. There are now x2 dormer windows located to either side of the roof slope. While this amendment has somewhat reduced the bulk of the previously proposed dormer windows through dividing these into x2 smaller dormers, this create a total of x7 dormer windows located on the roofs lobe of the property which are considered to cumulatively appear to add a significant amount of mass and bulk to the roof.

Turning to the proposed materials, this application now proposes to use matching facing brickwork, roof tiles and white uPVC fenestration to reflect existing materials used on site. The previous application proposed modern materials, and as such these proposed materials are considered to be more in keeping with the character of the host dwelling and character of the streetscene on Cornwallis Avenue.

The application site lies within an Area of Special Character and as such policy BE12 must be considered as part of the applications assessment. This saved policy states permission will not be granted if the development will harm the existing character of that area, by reason of either a loss of vegetation, especially in relation to important skylines; or a greater visual impact of buildings. The proposal does not seek to remove any existing vegetation located on the site, however for the reasons as set out above the proposal would add a significant amount of bulk and mass to the existing dwelling and is therefore felt would result in a greater visual impact to the detriment of the Area of Special Character.

Overall, for the reasons as set out above, it is considered that the proposal has not been amended enough to sufficiently address and overcome the previous reasons for refusal. This proposal would continue to add a substantial amount of mass and bulk to the property which would have a significantly detrimental impact upon the character of the existing dwelling and the Area of Special Character. As such, the proposal should be refused on this basis.

Amenities of neighbouring occupants

Saved policy BE8 and emerging policy HB8 require proposals for windows, doors and balconies to ensure avoidance of unacceptable overlooking and inter-looking. It is considered that the new fenestration proposed to be located to the front elevation would not give rise to significant overlooking to adjacent properties due to there being an approximate separation distance of 40 metres.

The submitted plans show that the proposed side windows located to the north elevation would be fitted with obscured glazing and would be non-openable up to 1.7 metres above the finished floor level. It is felt this would overcome concerns with potential overlooking to no. 5 Cornwallis Avenue. With regard to the proposed fenestration to the south elevation, if the application were to be approved, it would be secured by condition that all fenestration above

first floor level must be obscured glazed and non-openable below 1.7 metres from the finished floor level so as to prevent an increased opportunity for overlooking to 1 Cornwallis Avenue.

There are concerns that the proposed rear balconies could give rise to overlooking to no's 1 and 5 Cornwallis Avenue and as such if the application were to be approved, a condition would be put in place to erect 1.8 metre obscured screens to either side elevation of the balconies to prevent overlooking to the adjoining properties.

With regard to the proposed rear fenestration, there would be an approximate separation distance of 26.5 metres from 134 Cheriton Road which is located to the rear of the garden. Due to this separation distance and there being some mature trees located to the rear boundary, it is not felt that this would give rise to significant additional overlooking to this property.

Saved policy BE8 and emerging policy HB8 further state that proposals should not cause undue overshadowing of neighbouring property and allow adequate light and ventilation to existing rooms within the building. The proposed rear extension would create a total two storey rearward projection of approximately 13.7 metres and would include a single storey extension beyond this of approximately 1.3 metres, which would be closest to 5 Cornwallis Avenue. The proposal would retain an approximate separation distance of 4.7 metres from no. 5, however it would have an eaves height of approximately 4.8 metres, around 1 metre from the boundary. As such it is not considered that any significant amendments have been made to the scheme which would alleviate concerns that this proposal may give rise to an unacceptable overbearing impact if the application were to be approved.

Parking and highways

The proposed development would result in the increase of bedrooms within the property from 4 to 7. Appendix 6 of Saved policy TR12 requires a minimum of 3 parking spaces per dwelling with 4 or more bedrooms. It is considered in this instance that there is at least 3 off street parking spaces in the form of hardstanding located to the front of the dwelling and as such the proposal would not impact upon parking or highways.

Environmental Impact Assessment

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.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

PUBLIC SECTOR EQUALITY DUTY

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.

RECOMMENDATION

In light of the above, it is considered the proposal should be refused due to an unacceptable increase in bulk and mass to the existing property which would have a visually harmful impact upon the character of the host dwelling, the character of the streetscene and the Area of Special Character.

Case Officer: IHILLS

Report and draft decision notice completed and passed to senior officer.

Name: IHILLS Position: Planning Officer Date: 10.04.2019

Report and draft decision notice agreed and passed to admin to issue decision.

Name: R Allan Position: DM Team Leader Date: 10/04/19