

OFFICERS REPORT

Application No: Y16/0028/SH
Location: 21 Grace Hill Folkestone Kent CT20 1HA
Proposal Change of use and conversion from retail (Class A1) to three self contained flats

ASSESSMENT

Performance data:-

Date application valid: 12.02.16

Applicable 8 week target date: 08.04.16

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA)? No

If Yes, revised 8 week target date: NA

Is the application being determined after 26 weeks without a PPA or a PEA? No

SITE VISIT

The site visit was carried out on 23rd February 2016. The site and proposals were assessed from the public domain to the front of the property.

SITE

The application site is located on the edge of the main Folkestone town centre commercial area and forms part of a defined secondary shopping area. The site is within the Folkestone Leas and the Bayle Conservation Area. The application site is part of a parade of buildings located on the southern side of Grace Hill, at the end adjacent to a roundabout junction. At the rear of the site is a Lidl Supermarket, and opposite to the front of the property is Folkestone library. The building is over four floors with the upper floor set within the roof space, and forms the end terrace. The ground floor of the property has an A1 retail use, and was most recently a district branch of the RSPCA, but is currently vacant. The upper floors are accessed from a separate door at ground floor level on the Grace Hill frontage, this application only relates to the ground floor and the first floor, the latter having had consent for a self contained flat previously, but the application suggests the last use was ancillary to the shop.

HISTORY

The planning history shows:

- o Containment of the second and third floors to flat and one maisonette was approved in 1986.
- o Change of use of first floor conference room to self contained flat was approved with conditions in 1992 (the existing layout suggests this was not implemented).

PROPOSAL

The application seeks planning permission for the change of use and conversion from retail (Class A1) to three self contained flats.

The proposal would provide a single unit on the ground floor with a lounge/diner, two bedrooms, a kitchen, and a bathroom (with a basement available for storage). The first floor would provide two units, a one bedroom flat with a kitchen/lounge/diner, and a bathroom; and a studio flat with a small kitchenette, and a bathroom. The proposal would see the shopfront retained, albeit with the lower part of the door infilled.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file.
The main points raised are summarised below.

Folkestone Town Council has no objection to the proposal.

REPRESENTATIONS

Two representations have been received in response to the publicity for the application, objecting on the grounds of:

- o Detrimental impact on footfall and profitability of the other shops.
- o Detrimental impact on customer parking.
- o Lack of refuse space.
- o Accommodation would be at street level.

PUBLICITY

Neighbours notified by letter. Expiry date 8th March 2016

Site notice displayed. Expiry date 15th March 2016

Advertised in press. Expiry date 24th March 2016

RELEVANT POLICIES

Shepway District Local Plan Review saved policies: SD1, HO1, HO8, E4, S4, BE1, BE4, BE8

Shepway Core Strategy Local Plan: DSD

NPPF

NPPG

APPRAISAL

The main considerations in determining this application are the principle of the proposal and compliance with planning policies particularly with regard to protection of shopping areas; and, the visual impact on the character and appearance of the conservation area. Secondary considerations are impact on neighbouring occupiers, parking, and other issues including those raised in representations regarding the application.

Grace Hill is designated shopping frontage in the secondary shopping area, a designation bestowed on it by saved local plan policy S4. The secondary shopping area seeks to preserve a mix of A1, A2, A3, A4 and A5 uses, with a range of smaller shops, services and restaurants to support the primary town centre shopping area. The policy explicitly requires that

development of ground floor units in the Secondary Shopping Area to any use class outside of the aforementioned A Class uses will only be allowed where it is demonstrated that it is appropriate to the character of the shopping area. The application site is the end unit of this part of the designated shopping area, and is also the end of a parade of six shop fronts, separated from the rest of the shopping street by a hall. It is acknowledged that this is not a primary shopping location, however, this part of the town whilst possibly suffering from loss of footfall in the recent past, this trend has been, and will be further reversed thorough the regeneration of the harbour, the Creative Quarter, and the new Payers Park play area. It is an area that has been neglected in recent years, but is anticipated to see an uplift off the back of the Creative Quarter regeneration initiative, which could bring new small independent traders into the street, adding to the vitality and vibrancy of the streetscene. As such, this road will be increasingly popular as a route from the town to these areas, and consequently as a destination.

Furthermore, there is a need for lower rental edge of town units, to provide for businesses that cannot justify a town centre location, and the associated higher rents. The two adjoining properties have active shopfronts, and trade as a Polish Food Shop and a Cycle Shop. The parade of six shops also has two non-retail business uses, which retain shopfronts. The loss of a retail unit would mean that only 50% of the units in the parade would be retail. It is considered the loss of a retail unit in this small parade of shops will impact negatively on the vitality of the area, and erode the viability of the remaining shops. The character of the buildings on the south side of Chapel Street is traditional shopfronts, and, the street is a prominent thoroughfare close to the public library. It is acknowledged that an empty shop unit does not contribute positively to the streetscene, but retaining the Class A use and the shopfront helps preserve the street characteristic. It is considered that change of use of the ground floor unit to residential would be harmful to the Secondary Shopping Area, and would not be appropriate to the character of the area or its long term viability, which would conflict with saved policy S4.

It is considered that a residential frontage onto Grace Hill is not in the spirit of the aforementioned character of the area, of active shopfronts that engage with the street. The domestication of the shopfront is not an appropriate addition to the Secondary Shopping Area. Therefore, the proposal is considered to be contrary to saved policy S4, which seeks to restrict redevelopment of ground floor units to A Class uses that would complement the mix of businesses that occupy the area. With potential to increasingly become a hub of connectivity between the redeveloped Payers Park site and The Old High Street, from the densely populated areas to the west of the site, it is considered the site has potential for continued retail use. As such, as the proposal is in conflict with local plan shopping policies, and with the characteristic of the streetscene, it is therefore unacceptable in principle.

In terms of the impact of the development on the appearance and character of the conservation area, saved local plan policy BE4 seeks that the form of new development should respect the character of the conservation area. In this instance, domestication of a traditional shopfront is not in keeping with the characteristics of the shopping street. The characteristic is personified by small retail units with traditional shopfronts, with offices or flats above in the terraced buildings. It is considered that retention of these patterns is an important element in preserving the character and appearance of the conservation area; and as such the proposal is not considered to protect the architectural and historical character. Therefore, the proposal is not considered compliant with with the requirements of saved local plan policies BE1 and BE4 and Section 72(1) of the Conservation Areas Act, although in this instance this would not be considered a reason for refusal in its own right.

In terms of neighbour impact, the upper floors are already flats, and the first floor has had permission granted to be a self contained flat previously. As such, the proposal would have a neutral impact on existing occupiers of the building.

In terms of parking, the site is within walking distance of all the main facilities, amenities and transport links. There are several public car parks in the immediate vicinity, and the local roads have parking restrictions. The demand for parking for flats would be no greater than for shop staff and their customers, as such highways / parking issues would not be considered a constraint on the development.

In terms of acceptable standards for flats the proposed Studio Flat would fall short of the minimum standards, as it would not provide a kitchen/diner of at least 11.5sqm. However, this would not be a reason for refusal, as the layout may be able to be amended to incorporate the minimum acceptable standards.

Refuse storage and collection would utilise the facilities available for the upper floor flats.

Overall, the proposal is unacceptable in principle for the reasons set out in this report, and is contrary to local plan shopping policies, which seek to protect designated shopping frontage for Class A uses that compliment the Secondary Shopping Area range of uses.

RECOMMENDATION

Refuse

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.

Case Officer:

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

Name: Paul Howson Position: Senior Planning Officer Date: 06.04.16

Report and draft decision notice amended (if appropriate)

Name: Position: Date:

Senior Officer

Report not agreed. Details of further work required as follows:

Name: Position: Date:

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

Name: C Dethier

Position: DC Team Leader

Date: 8/4/16