

Officer Report

Application No.	20/0722/FH
Site Address	29 Brambley Crescent, Folkestone, CT20 3PU
Officer Name	Natasha McCann
Proposal	Conversion of a integral garage to a habitable room. Removal of the garage door and install a window to the front elevation.

Recommendation

Report Number	RD-422125
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	08 July 2020

Report

Date application valid: 02/06/2020

Applicable 8/13/16 week target date: 28/7/2020

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

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

SITE VISIT

Due to the Covid-19 pandemic it was not possible to undertake a site visit in person. However, appropriate assessment was possible via aerial photographs and google street maps.

Site Description

The application relates to a three storey end terraced dwelling located to the east of Brambley Crescent. The wider street scene is of uniform design, with predominately three storey terraced dwellings with internal garages at ground floor. The property has been extended to the front and side involved a front porch and two storey side extension.

Relevant site history

SH/88/0843 – Extension to form porch and increase area to garage – 15 June 1988 – Approved

SH/82/0281 – Erection of a two storey extension – 01 April 1982 – Approved

CH/3/65/299 – Erection of 7 terraced houses – 03 September 1965 – Approved

Proposal

Planning permission is sought for conversion of the garage into living accommodation including associated works. The proposed conversion would result in the relocation of the existing kitchen remaining the same footprint as existing. The alterations to the garage would include replacing the existing garage door with 1no window. The application seeks to use materials to match the original dwelling.

Consultation responses

Parish Council: No response

Representations

3 neighbour notification letters were sent to neighbours of the application site.
No letters of representation have been received

Publicity

The application was publicised in accordance with the regulations.

Relevant policies

Local Plan Review Saved Policies:

SD1 (Role of the Local Plan), BE1 (Building design, layout & special needs annexes), BE8 (Building alterations & extensions) and TR12 (Car parking).

Core Strategy Local Plan:

DSD (Delivering Sustainable Development).

Places and Policies Local Plan Submission Draft:

HB1 (Quality Places Through Design), HB8 (Alterations and Extensions to Residential Buildings), NE6 (Land Stability) and T2 (Parking Standards).

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. An examination-in-public was held in 2019, with hearing sessions taking place from 15-17 May 2019. The Inspector recommended a limited number of Main Modifications to the Plan which were consulted on from 13 January to 24 February 2020. The council is currently waiting for the Inspector's Report on the Plan before proceeding to adoption.

Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which states that the more advanced the stage that an emerging plan has reached, the greater the weight that may be given to it (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), as proposed to be modified by the published Main Modifications (2020), may be afforded significant weight.

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. Following changes to national policy, a further consultation was undertaken from 20 December 2019 to 20 January 2020 on proposed changes to policies and text related to housing supply. The Core Strategy Review was then submitted to the Secretary of State for independent examination on 10 March 2020.

Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which states that the more advanced the stage that an emerging plan has reached, the greater the weight that may be given to it (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.

NPPF and NPPG:

The NPPF and NPPG broadly support minor householder development subject to general amenity considerations - Paragraphs 12, 124, 127.

Appraisal

Design and visual appearance

Saved Policy BE8 states alternations 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, either by themselves or cumulatively.

The proposed conversion would remain the same footprint as existing therefore would not appear overly dominant. The proposed replacement window would be finished in matching materials which would ensure that the development would not detract from the host building. It is noted that a condition was added to the planning permission granted for the erection of the wider estate in the 1960s to prevent the garages being used as habitable spaces (Reference CH/3/65/299). However, garages no longer count towards parking provision and the condition placed upon these properties some 55 years ago is now not as relevant as it would have been at the time therefore the proposed conversion is considered acceptable.

Whilst other properties within the wider street scene have not themselves had their garages converted into living accommodation (with the exception of one other), it is not considered that the proposal, despite the removal of the garage door and replacement window, would detract from the character of the street scene and wider area as a whole. There are properties on the opposite side that do not themselves benefit from integral garages.

Overall, the proposed alternations are considered acceptable.

Amenities of neighbouring occupiers

Saved policy BE8 of the Local Plan Review states that extensions should not adversely affect the amenity enjoyed by the occupiers of neighbouring properties. The external works include the

removal of the garage door to be replaced with a window which would match the fenestration of the original dwelling. The proposal is considered to have minimal impact upon the neighbouring amenity. It is also noted that the proposed kitchen would be incidental to the main dwelling and therefore, the comings and goings to the site would be similar to the existing and would not impact the surrounding neighbours.

Parking and highways

The proposed development would result in the loss of one off-street parking space at the property. KCC Highways no longer recognises garages as parking spaces and as such this did not constitute a loss of parking on site. Whilst the loss of an off-street parking space at the property is regrettable, there is on-street car parking capacity in the area. Furthermore, an additional car parking area for 1 space could be facilitated on the hard-surfaced area to the front of the dwelling which is considered acceptable.

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.

Duty to cooperate

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service and, where possible, suggesting solutions to secure a successful outcome and as appropriate,

updating applicants / agents of any issues that may arise in the processing of their application. In this instance the application was acceptable as submitted.

Recommendation

Taking the above into account, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

Case Officer: Natasha McCann

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

Name: NM - Planner - Date: 10 – 07- 2020

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

Name: Helena Payne Position: Development Management Team Leader Date: 10 – 07- 2020

Recommended Conditions (3)

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 01, 02, 03, 04, 05 06, 07 and 08, received 2 June 2020.

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 materials to be used on the external surfaces of the extension hereby permitted

shall match those on the existing building in terms of type, colour, and texture.

Reason: In the interest of visual amenity.