

Officer Report

Application No.	20/0336/FH
Site Address	Land opposite 5 Ravenlea Road, Folkestone
Officer Name	Robert Davis
Proposal	Erection of a new build development comprising 9 x self-contained flats (1 x 1 Bed, 4 x 2 Bed, 4 x 3 Bed) with associated parking and external landscaping.

Recommendation

Report Number	RD-422154
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	09 July 2020

Report

Performance data:-

Date application valid: 5/3/2020

Applicable 8 week target date: 30/4/2020

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

If Yes, revised 8/13/16 week target date: 10/7/20

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

SITE

The application site is located on the eastern corner of Ravenlea Road and Shorncliffe Road within the defined settlement boundary of Folkestone. Shorncliffe Road and the surrounding area comprises of a mix of property types and styles ranging from late Victorian, Edwardian and more recent development including the properties to the rear of the site.

The site is occupied by No.76 Shorncliffe Road which is half of a pair of substantial semi-detached houses that has been linked historically to No.74 internally and by extension. These properties were formerly associated with St. Marys School, the site of which has been redeveloped for housing.

The plot is open to the west adjoining Ravenlea Road and is enclosed by the original Victorian brick wall. There is a substation located on the boundary accessed from Ravenlea Road. Development to the west of the site is generally five storeys in height with upper floor accommodation contained within the roof space. To the rear is the St. Marys Place development site comprising of two and three storey dwellings. There is a vehicular access to the rear of the site.

The site contains five trees subject to Tree Protection Orders.

RELEVANT PLANNING HISTORY

Y10/0680/SH Outline application for the erection of 28 houses, together with associated access, parking and landscaping works following demolition of existing former school buildings.

This consent featured the erection of a terrace of three dwellings on the pre-application site each three storeys in height and measuring 11.7metres above ground level.

Y18/1200/FH Change of use 76 Shorncliffe Road from boarding school residential accommodation to 6 two bedroom flats and 1 one bedroom flat including 7 off street parking space. Approved.

PROPOSAL

The proposal is for the redevelopment of the site to provide a building containing nine flats comprising 1 one bedroom, 4 two bedroom and 4 three bedroom flats with associated parking and external landscaping. The building would have five storeys.

CONSULTATION RESPONSES

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

Folkestone Town Council – No objection

ECC Ecology – The applicant has confirmed that the site is currently being used as a construction compound and there are no habitats present for protected or notable species. We advise that the proposed development has limited potential to result in ecological impacts and as such we are satisfied that there is no requirement for an ecological survey to be carried out.

FHDC Arboriculture - All recommendations as detailed in the tree protection plan will need to be implemented and checked for compliance prior to the developer's site occupation.

Kent Police – Request a Designing Out Crime Condition

Southern Water – Recommend condition seeking details of the proposed foul and surface water sewerage disposal

REPRESENTATIONS

One representation received objecting to the development which in the main makes the following comments

- Too big and bulky for small site
- Would be more acceptable at four storeys
- More parking provision required
- Plot most suitable for one or two family houses

RELEVANT POLICIES

Local Plan Review Saved Policies: SD1, HO1, BE1, BE17, TR11, TR12, U2, CO1

Core Strategy Local Plan: SS1, SS3

Places and Policies Local Plan Submission Draft: HB1, HB3, HB10, T2, T5, E8, NE2, CC2

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: SS1, SS3

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.

NPPF 2019: The NPPF has at its heart a presumption in favour of sustainable development. The following sections are considered to be particularly relevant:

- 2 – Achieving sustainable development
- 5 – Delivering a sufficient supply of homes
- 9 – Promoting sustainable transport
- 12 – Achieving well-designed places
- 15 – Conserving and enhancing the natural environment

NPPG:

APPRAISAL

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) Access and parking
- e) Ecology and biodiversity
- f) Trees

Principle of development and sustainability

Policy DSD of the Core Strategy states that when considering planning applications the Council will take a positive approach that reflects the presumption of sustainable development contained in the National Planning Policy Framework, in which there are three overarching objectives - an economic objective, a social objective and an environmental objective, which are interdependent and need to be pursued in mutually supportive ways

The application site is located within the defined settlement boundary of Folkestone and residential development within the urban area is considered acceptable in principle, subject to other material planning considerations being acceptable.

The site is within a sustainable location with local bus stops in the vicinity, is within walking distance of Folkestone Railway Station and with a range of local services available close by.

Design and layout

Shorncliffe Road and the surrounding area comprises of a mix of property types and styles ranging from late Victorian, Edwardian and more recent development including the properties to the rear of the site. To the north side of Shorncliffe Road properties vary in height from two to five storeys. The

proposal would introduce a building with accommodation over five floors. Although it would be marginally higher than the existing property it would not be dissimilar in height to other flatted developments in the vicinity and, given the corner plot location, it is considered that a development of the proposed height would be acceptable. The building would follow the general front and rear building lines of development on the northern side of Shorncliffe and would be provided with a suitable gap to the existing building on site. There would be a reasonable separation between the side elevation and the boundary with Ravenlea Road. The upper part of the building would feature prominent gabled elements to complement the traditional gable elements found on the older properties in the area. The eaves height would be lower than buildings to the east and would be broadly consistent with the corner plot dwelling at 78 Shorncliffe Road.

The proposed development would introduce more contemporary design elements into the streetscene and, given that the design also pays homage to traditional architectural elements within the local vernacular, this approach is welcomed. As such it is considered that the scale, massing and design would be appropriate for the character of the area.

Residential Amenity

Policy SD1 of the Local Plan Review and paragraph 127 of the NPPF require that consideration should be given to the residential amenities of both neighbouring properties and to future occupiers of a development. Emerging policy HB1 of the Places and Policies Local Plan (PPLP) states that development should not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook.

Given the degree of separation with the dwellings to the rear and that any rear facing windows would have an outlook over the public realm. There would likely be additional comings and goings however this is unlikely to be significant. In terms of the existing property at No.76 this is currently being developed by the applicant and the side facing windows of this building would alight non-habitable rooms. As such it is not considered there would be an adverse impact on residential amenity to the existing neighbouring occupiers

Emerging policy HB3 of the PPLP states that proposals for new residential development should comply with the current national described space standards and provide adequate amenity space.

The following is a schedule of the accommodation:

LGR Unit 1 - 1 bedroom 2 bedspaces 52.7m²

GF Unit 2 - 3 bedrooms 5 bedspaces 87.1m²

Unit 3 - 2 bedrooms 4 bedspaces 91m² duplex

Unit 4 - 2 bedrooms 4 bedspaces 91m² duplex

First

Unit 5 - 3 bedrooms 5 bedspaces 87.1m²

Unit 6 - 2 bedrooms 4 bedspaces 95m² duplex

Unit 7 - 2 bedrooms 4 bedspaces 95m² duplex

Second

Unit 8 - 3 bedrooms 5 bedspaces 87.1m²

Third

Unit 9 - 3 bedrooms 5 bedspaces 145m²

All units would therefore exceed the minimum standard for internal living space.

All dwellings would be provided with balconied areas or have access to a ground floor terrace providing a good degree of usable outdoor space. In addition there would be communal areas to the front and side of the building, the precise details of which can be secured by condition.

Therefore the scheme is considered to provide a good level of internal and external accommodation for future residents in accordance with policy HB3 of the PPLP.

Access and Parking

The proposal makes use of the existing site access points. Pedestrian access from Shorncliffe Road makes use of the existing entrance serving No.76 with a new path created leading to the main entrance door on the front elevation. This would provide an active frontage and replicates the raised entrance via external steps as found on other period properties in the vicinity. A level entrance would also be provided to the rear of the building which is accessed from the rear parking area. This allows wheelchair users to access the development in accordance with Part M of the building regulations. A lift is to be provided for all floors.

Vehicle access would be via the existing access onto Ravenlea Road at the rear of the site avoiding the need to create any new vehicular access onto the highway and therefore there would be no additional impact on highway safety.

The development would include the provision of a total of 16 parking spaces of which 9 would be allocated at the rate of 1 space for each of the 9 proposed flats and the remaining 7 would be provided for the existing property which has extant permission for conversion into self-contained flatted units. It is considered that the provision of 1 space per dwelling would be acceptable for a development in this location. There are no parking restrictions within the immediate area

The development is therefore considered to comply with the Kent Design Guide Review: Interim Guidance Note 3 and emerging policies HBH10 and T2 of the PPLP.

Ecology

No ecological information has been submitted with application however the site is within a built up urban area and has been cleared. KCC Ecology are satisfied that there is no requirement for an ecological survey to be carried out given the limited potential for any ecological impacts and that the site is being used as a construction compound and there are no habitats present for protected or notable species.

A condition is recommended requiring ecological enhancements in accordance with paragraph 175 of the National Planning Performance Framework

Trees

The applicant has submitted a full tree survey and plans to BS 5837 standard. The proposal would involve the removal of trees subject to tree protection orders. Horse Chestnut and Monterey Cypress located to the western boundary adjacent to Ravenlea Road and to the Yew Tree set back from the frontage of Shorncliffe Road. The removal of the Horse Chestnut and Monterey Cypress has previously been accepted by the Council under the previous development scheme. The Yew Tree located in front of the proposed building would have its crown in close proximity to the building leading to potential conflict with the amenity of future residents and requests for either substantial cut backs adversely affecting the visual amenity of the tree or for its removal. Given this it is considered acceptable for the removal of the protected trees.

The Council's Arboricultural Manager has accepted the removal of the protected trees and has no objections to the proposed development. Given that space on site is at a premium there is no on-site potential for suitable replacement tree planting. The applicant has been in discussion with the Arboricultural Manager and has negotiated a payment for the planting of new trees on St. Marys Field close to the application site.

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.

Local finance considerations

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.

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 £57.86 per square metre for new residential floor space.

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 is a sustainable development that complies with local development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

Recommended Conditions (9)

The development must be begun within three years of the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

2

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans Drawing numbers 19011_002 Rev P3, 19011_003 Rev P1, 19011_004 Rev P2, 19011_005 Rev P2, 19011_006 Rev P2, 19011_007 Rev P2, 19011_009 Rev P1, C756TPP, C7546TCP and C756TRP.

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

No construction work above the slab level of any building on site shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the completed development and in the interests of visual amenity.

4

No construction work above the slab level of any building on site shall take place until full details of both hard and soft landscape works have been submitted to the local planning authority including an implementation programme and maintenance schedule to be provided. No building shall be occupied until an approved landscaping scheme has been carried out in accordance with the approved details unless an alternative timescale has been agreed with the local planning authority. The soft landscape works shall be maintained in accordance with the agreed maintenance schedule.

Reason: In order to protect and enhance the appearance of the area.

5

The vehicle parking, vehicle turning facilities and cycle parking shown on the approved plans shall be kept provided and available for parking purposes in connection with the approved development prior to the first occupation of any

dwelling and at all times thereafter.

Reason: To ensure the permanent retention of the facilities for parking purposes within the curtilage of the site in order to avoid obstruction of the highway, safeguard the amenities of adjacent properties and encourage alternative modes of sustainable transport in accordance with saved policies TR5, TR12 and SD1 of the Shepway District Local Plan Review.

6

All dwellings hereby permitted shall have an electric vehicle (EV) charging point installed prior to first occupation and shall thereafter be retained in good working order.

Reason: To improve the sustainability of the site

7

Within six months of work commencing details of how the development will enhance biodiversity will be submitted to and approved in writing by the local planning authority. The approved details will be implemented and thereafter retained.

Reason: To encourage the enhancement of biodiversity in accordance with paragraph 175 of the National Planning Performance Framework.

8

All recommendations relating to tree removal, retention and protection as detailed within the supporting information and approved plans are to be adhered to, with all protective fencing erected to the correct specification prior to works commencing. The fencing shall be inspected by the Council's Arboricultural Manager following erection.

Reason: In order to ensure the protection and longevity of existing trees in the interest of visual amenity.

9

Prior to first occupation of the flats hereby permitted details of waste bin storage shall be submitted to and agreed in writing by the Local Planning Authority, and thereafter maintained in perpetuity for use by all residents of the building.

Reason: In the interest of residential and local amenity.

