

**NOTIFICATION OF DECISION OF
THE LOCAL PLANNING AUTHORITY**

Date of Decision: 27 March 2024



Email: planning@folkestone-hythe.gov.uk

Marieke Monk
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Studio 9
2 South Street
Folkestone
CT20 1RW

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: 23/2068/FH

Proposal: Two storey side extension and single storey rear extension

Site Location: 39 Dolphins Road, Folkestone, CT19 5PL

DECISION: REFUSED in accordance with the planning application and plans.

REFUSAL REASONS

- 1 The proposed two storey side extension, by virtue of its design, scale and proximity to the neighbouring development to the south, would result in the loss of the characteristic gap at first floor level, causing an unacceptable terracing effect and representing a cramped and incongruous form of development that would be harmful to the character, appearance and visual amenities of the streetscene, contrary to Places and Policies Local Plan Policies HB1 and HB8.
- 2 The proposed two storey extension, by virtue of its size, height, depth, location and proximity to no. 37 Dolphins Road, would result in an overbearing sense of enclosure and loss of outlook that would be harmful to the enjoyment of neighbouring residential amenity. The proposal would therefore be contrary to Places and Policies Local Plan (2020) Policies HB1 & HB8.

Informatives and notes

- 1 This decision is based on the following drawings and documents:
Application Form
Location Plan

Folkestone & Hythe District Council
Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY
Telephone: 01303 853538 · E-mail: planning@folkestone-hythe.gov.uk · www.folkestone-hythe.gov.uk

Proposed Block plan
3180 - 03-Existing & Proposed Ground Floor Plan
3180 - 0-Exisitng & Proposed First Floor Plans
3180 - 05-Existing & Proposed Roof Plan
3180 - 06-Existing & Proposed Front (East Facing) Elevation
3180 - 07-Existing & Proposed Side (South Facing) Elevation
3180 - 08.Existing & Proposed Rear (west facing) Elevation
3180 - 09-Exisitng & Proposed Side (North Facing) Elevation
All received 20/12/2023

In determining this planning application, the Council has had due regard for all relevant matters and particularly the National Planning Policy Framework. This includes the duty to work positively with the applicant to resolve potential issues and seek acceptable solutions.

This decision relates ONLY to the requirements of Town and Country Planning Act 1990. Separate determinations are required for other aspects of the planning regime, building regulations and environmental legislation. Any other permissions must be obtained separately from the relevant body.



Issued by the Chief Planning Officer

This decision notice consists of 3 pages

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or the grant of it, subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

As this is a decision to refuse planning permission for a householder application, if you want to appeal, then you must do so within 12 weeks of the date of the notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provision of a development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which had been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interests in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.