

Officer Report

Application No.	23/2068/FH
Site Address	39 Dolphins Road, Folkestone, CT19 5PL
Officer Name	Macey Douglas
Proposal	Two storey side extension and single storey rear extension

Recommendation

Report Number	RD-434071
Recommended Decision	Recommended to be Refused
Recommendation Date	25 March 2024

Report

The application site features a two-storey semi-detached dwelling within the settlement boundary of Folkestone. It also features a detached single garage sited on the southern boundary. The host dwelling is finished in facing brickwork with grey uPVC fenestrations.

To the front of the property there is an existing area of hardstanding for the parking of two vehicles.

Site History

SH/80/737 – extension to kitchen with bed over garage

Proposal

Planning permission is sought for the erection of a two-storey side extension as well as a single storey rear extension. The proposal would also see the removal of the existing garage.

The proposed two storey side extension would measure the following approximate dimensions:

Height: 8.65 metres

Eaves Height: 5.10 metres

Width: 2.70 metres

Depth: 9.75 metres

The proposed storey extension would be situated approximately 0.65 metres away from the adjoining boundary at its closest point with no. 37 Dolphins Road. The proposed extension would be finished at brickwork at ground floor and vertical timber boarding at first floor level.

The proposed single storey rear extension would measure the following approximate dimensions:

Height: 3.15 metres

Eaves Height: 3.05 metres

Width: 8.75 metres

Depth: 4.00 metres

The proposed single storey extension would be finished in facing brickwork to match the host dwelling, with a GRP roof and grey uPVC fenestrations to match the host dwelling.

Consultation Responses

Folkestone Town Council – No comments received

Publicity

Neighbour Letters Sent Expiry 06/03/2024

Representations

1 neighbour representation has been received. They raise objection on the following grounds:

- Overbearing impact
- Loss of light
- Over dominant addition

Relevant Policies

NPPF and NPPG:

The NPPF and NPPG broadly support minor householder development subject to general amenity considerations – Paragraphs 12, 131

Places and Policies Local Plan (2020):

HB1 (Quality Places Through Design), HB8 (Alterations and Extensions to Buildings)

Core Strategy Review (2022)

Appraisal

Design and Visual Appearance

The proposal includes the addition of a single storey extension to the rear of the dwelling. Whilst flat roof extensions are not widely supported by the PPLP, given its position to the rear of the property and that the site already features a single storey flat roofed addition, it is not considered that its introduction would result in harm to the character and appearance of the host dwelling or wider street scene. Furthermore, the extension whilst would extend across the entire width of the host dwelling, given its single storey nature, it is not considered that this would overwhelm the host dwelling as therefore would appear as a subordinate and acceptable addition

The proposed two storey extension would be located to the southern side of the dwelling and would be visible from the street. However, the ridge height of the two-storey side extension would sit below the ridge of the host dwelling, which would aid in the extension reading as a subordinate addition to the host dwelling. As a stand alone development, without consideration of the extension's impact on the character and appearance of the wider street scene, this would likely be acceptable in terms of the developments impact on the character of the property itself. However, whilst the extension would replace the existing single storey detached garage to the side of the host dwelling, it would also in fill the characteristic gap at first floor level, where the prevailing pattern of development within the street scene includes visual separation, primarily at first floor, from neighbouring development. It is accepted that the neighbouring dwelling to the south (no.37) has had a similar scaled and form of development to that being proposed here, however (and where each application must be considered on its own merits) in extending the neighbouring property, the gap between built development was retained above the garage serving the application property itself. The proposed extension here would infill this gap leaving only an approximate 0.65 metre

separation distance from the boundary. This would not only result in a cramped and incongruous form of development within the street scene but would also result in the loss of a characteristic gap, which repeats throughout the street scene, creating an unacceptable terracing effect to the detriment of the character and appearance of the street scene, contrary to the provisions set out under PPLP Policies HB1 and HB8.

For the reasons set out above, it is considered that the proposed development would cause significant harm to the character and appearance of the street scene, contrary to the PPLP.

Residential Amenity

The proposed single storey extension when measured from the nearest ground floor habitable window of no. 41 Dolphins Road would not contravene the 45-degree angle and therefore coupled with the existing boundary treatment no loss of light would occur as a result of this. Further to this no side elevational openings are proposed to the single storey side extension that would face no. 41 and therefore no opportunities of interlooking or overlooking would be available and the privacy of residents would be protected.

Turning to the proposed two storey extension there would be no impact to the residential amenity of the occupants of no. 41 Dolphins Road. This is due the proposed extension not extending beyond the front building line of the host dwelling and the amount it would extend beyond the rear elevation would not contravene the 45- or 25-degree angle when measured from the nearest ground floor habitable window of no. 41 Dolphins Road.

However, concern has been raised by neighbours with regard to the intrusiveness of the proposal and the potential loss of light to no. 37 Dolphins Road from the proposed two storey extension. Whilst it is acknowledged that the proposed two storey extension would not contravene the 45-degree angle when measured from habitable window, given the separation distance of only 0.65 metres, this is not considered to be sufficient and is considered to be unacceptable close to neighbouring properties resulting in harm to the amenity by way of overbearing impact.

In regard to the potential loss of privacy that may occur as a result of the proposed two storey extension, several side elevational openings have been proposed facing no. 37 Dolphins Road. However, given that there no openings within the side elevation of this neighbouring property that these windows would directly face onto, no opportunities for interlooking and overlooking would occur as a result.

In light of the above, whilst there would not be a loss of privacy, the proposal as a whole is considered to be unacceptable with regard to impact on residential amenity due to the overbearing sense of enclosure that would occur as a result.

Parking and Highways

The proposal includes the removal of the garage to the west of the property. Kent County Council no longer recognises garages as parking spaces, and it is therefore, unreasonable to require the garage to be retained as parking space.

The proposal would also include the addition of two new bedrooms. Under policy T2 of the PPLP, for properties with four or more bedrooms in this location 1.5 spaces should be available.

Given the site already allows for the parking for two off street parking spaces and that garages are no longer deemed as parking spaces, the proposal is considered acceptable in regard to parking.

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.

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.

Recommendation

Taking the above into consideration, it is considered that the proposal is unacceptable in terms of its impact on the character and appearance of the dwelling and the visual amenity of street scene, as well as resulting in harm to the residential amenity of neighbouring occupants contrary to development plan policy and the NPPF and is therefore recommended for refusal.

Recommended Refusal Reasons (2)

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.

Suggested Informatives (1)

1

This decision is based on the following drawings and documents:

Application Form

Location Plan

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