

Officer Report

Application No.	24/0215/FH
Site Address	10 Bodenham Road, Folkestone, CT20 2NU
Officer Name	Katy Claw
Proposal	Single storey front and side extension and first floor side extension. Replacement of summer house with stand alone garage.

Recommendation

Report Number	RD-434165
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	28 March 2024

Report

SITE

The application site forms a detached two-storey dwelling on the eastern side of Bodenham Road. The property incorporates an attached flat-roofed garage to the side (south) elevation and a mono-pitch roof front addition.

Off-street parking provision for at least 2 vehicles and a god-sized rear garden.

The property is finished in cream painted brickwork at ground floor and terracotta tile hanging at upper floor with a dark tiled roof.

The street is made up of residential dwellings of mixed design, all reltively lareg and within generous plots.

RELEVANT HISTORY

SH/88/0818 – Single-storey front and side extension and first-floor side extension.

Approved

PROPOSAL

This application seeks planning permission for the erection of a single storey front and side extension and first floor side extension, together with the erection of a detached garage following removal of a detached summer house.

The existing lean-to front extension would be extended to the south, covering the frontage of the property, allowing for the formation of a WC.

The first-floor extension would be constructed over the existing flat-roofed garage and would provide a further bedroom, bathroom and walk-in wardrobe.
The extensions would be finished in matching materials.

The proposed detached garage would be located to the side (south) of the plot, behind the main dwelling, measuring approximately 5.7m x 7.2m x 4.2m in height.
The garage would be finished in white render and a matching tiled roof.

The existing hardstanding would be extended and a new gate between the main house and the boundary fence would be erected.

CONSULTATION RESPONSES

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

Folkestone Town Council – no objection

REPRESENTATIONS

None received

PUBLICITY

Neighbours notified by letter. Expiry date 20.03.2024

RELEVANT POLICIES

Places and Policies Local Plan 2020: HB1, HB8, HE2

Core Strategy Review 2022: SS1

NPPF

NPPG

APPRAISAL

Design and visual appearance

The front lean-to extension would read as an adjunct to the host property, continuing the same size and design as the existing lean-to. This extension is acceptable.

The first-floor side extension would increase the overall bulk and mass of the property to the southern side, however a space separation of approximately 3.4m would remain between the extension and the side boundary. In that regard it is considered that the extension would not dominate or result in over-development of the plot. The general street scene is made up of large

detached properties of mixed design, all benefiting from generous plots. The proposed extensions would not be at odds with the general character of the area. The finished appearance would be complimentary to the existing design and would therefore appear visually acceptable. The existing build-line to the front and side would remain and the extension would not appear as an adjunct to the host property. The use of matching materials would ensure that the extension does not result in an incongruous form of development.

The detached garage would not be readily visible from the street, but the use of matching materials would ensure that any visible elements do not appear out of context. It is quite a large structure but the majority would not be visible from outside the site and there would be ample garden space retained for recreation purposes. The new entry gates, whilst not a common feature within the immediate street scene, would not detract from the character and appearance of the application site and wider street scene.

Residential amenity

The neighbour to the immediate north (No.12) would not be impacted by this development in terms of overbearing or overshadowing.

There would be a side window at first floor on the side (north) elevation serving the new bedroom and this can be subject to planning condition to ensure that it is obscure glazed and non-opening below 1.8m to avoid any direct overlooking of the neighbours rear elevation/garden area immediately adjacent the rear elevation of their property. Such a condition would not be unreasonable as there is also a clear glazed rear facing window in the extension.

The neighbour to the immediate south (No.8) has side elevation windows at ground floor and first-floor side (north) elevation.

The proposed first-floor extension does not include any side elevation windows and the neighbours side elevation windows are obscure glazed, therefore overlooking instances would be negligible. The roof light within the southern roof slope would be set high into the roof, however this would face roof lights on the neighbouring property and to prevent opportunities for overlooking and interlooming, a condition will be imposed requiring this to be fitted with obscure glazing.

In terms of overbearing, the development to the main dwelling would remain within the existing built-form and a space separation of approximately 3.3m would remain between the proposed extension and the neighbouring boundary fence. This distance would ensure that overbearing would be limited. Overshadowing would not occur due to the orientation of the neighbouring dwelling with the application site in relation to the sun's trajectory.

The proposed garage building would replace the existing sun room although it would be of a much larger footprint than the existing structure.

However, despite its increased size it is considered that as a result of the orientation of the neighbours property with the application site and the sun's trajectory, the structure would not overshadow the neighbouring property. The roof would slope away from the neighbouring property and would decrease any perceived sense of overbearing. Approximately 0.5m would be retained between the structure and the boundary fence with the neighbour.

Overall it is considered that the structure would not result in a form of unneighbourly development.

Parking and highways

The access to the proposed garage appears wide enough to accommodate a vehicle and the extension to the hard standing area would be acceptable.

The proposed gate would be no higher than the existing gate and it would be set back from the highway and therefore would not cause any obstruction to other highway users as any vehicle

wishing to access the garage would be able to first stop on the driveway, therefore ensuring that there is no danger posed to other highway users.

Further, Bodenham Road is an unclassified road with no on-street parking restrictions and low traffic movements. In this regard it is considered that a vehicle stopping temporarily whilst the gates are opened would not cause significant obstruction to other highways users as to result in a significant risk to highway safety.

Entry and egress from the garage may be difficult as a result of its position behind the host dwelling, however as garages are not considered parking spaces by the Highways Authority, and given that appropriate parking remains off road in accordance with policy via the hardstanding to the front of the dwelling, no objection is raised.

Archaeological Potential

Given the minor nature of the application it is not considered likely to result in harm to any buried items of archaeological interest. As such it is considered that no further information or mitigation is required in this regard.

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. This application is not liable for the CIL charge.

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.

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 development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

Recommended Conditions (4)

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 accordance with the details shown on the submitted drawings:

Location Plan & Proposed Block Plan – PP0600 Rev 5 – 14.02.2024

Proposed Elevations – PP2110 Rev 5 – 14.02.2024

Proposed Floorplans – PP2010 Rev 5 – 14.02.2024

Design & Access Statement – 460_DAS_01 – 14.02.2024

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of policy HB1 of the Places and Policies Local Plan.

3

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building in terms of type, colour and texture.

Reason:

To ensure that the external appearance of the works when completed do not detract from the appearance of the building or the appearance of the area generally.

4

Prior to the first use/occupation of the first-floor extension, the proposed roof light on the southern roof slope of the extension and the first-floor window on the northern side elevation shall be fitted with obscured glass of a type that is impenetrable to sight and shall be non-opening up to a minimum of 1.8 metres above the internal finished floor level and shall be so retained at all times.

Reason:

In order to safeguard the privacy of the occupants of the neighbouring properties in accordance with policies HB1 and HB8 PPLP and the NPPF.