

Officer Report

Application No.	24/0350/FH
Site Address	22 Welson Road, Folkestone, CT20 2NW
Officer Name	Macey Douglas
Proposal	Lawful development certificate (proposed) for a rear extension and changes to fenestration

Recommendation

Report Number	RD-434172
Recommended Decision	Recommended to be Lawful
Recommendation Date	02 April 2024

Report

Site

The application site is a detached dwelling to the northern side of Welson Road within the settlement boundary of Folkestone. The host dwelling is finished in cream smooth render and tile hanging to the front elevation. To the rear of the property there is an existing conservatory. The property features an adjoining garage with a flat roof dormer within the roof slope.

Site History

89/1269/SH - Section 53 determination for first floor side dormer extension and rear single storey extension – approved

96/0751/SH – Lawful development certificate for the erection of a rear garage extension – lawful

Proposal

A lawful development certificate is sought for the erection of a single storey rear extension following the removal of the existing conservatory to the rear of the property. The proposed extension would be finished in matching materials to the rest of the host dwelling. The proposed extension would measure the following approximate dimensions:

Height – 3.40 metres

Eaves Height – 2.35 metres

Width – 5.75 metres

Depth – 3.90 metres

The proposal also seeks to replace the fenestrations to the rear with matching uPVC fenestrations to those used elsewhere within the rest of the host dwelling.

Consultation Responses

Not required under the LDC process

Publicity

Not required under the LDC process

Representations

Not required under the LDC process

Relevant Policies

Not required under the LDC process

Appraisal

The key considerations in determining this application are those set out by Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

A.1

(a) PASS: The dwelling was built for the sole purpose of being used as a dwelling and no changes of use have taken place.

(b) PASS: As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage of the dwellinghouse (excluding the ground area of the original dwellinghouse).

(c) PASS: The height of the proposed extension would not exceed the height of the highest part of the roof of the existing dwellinghouse.

(d) PASS: The height of the eaves of the proposed extension would not exceed the height of the eaves of the existing dwellinghouse.

(e) PASS: The proposed extension would not extend beyond a wall which:

- i. Forms the principal elevation of the original dwellinghouse; or
- ii. Fronts a highway and forms a side elevation of the original dwellinghouse

(f) PASS: The enlarged part of the dwellinghouse though single storey does not:

- i. Extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse or
- ii. exceed 4 metres in height

(g) PASS: The dwellinghouse is not located on Article 2(3) nor a Site of Special Scientific Interest (SSSI) and the proposed extension would have a single storey and would not:

- i. Extend beyond the rear wall of the original dwellinghouse by more than 6 metres; or
- ii. Exceed 4 metres in height

(h) N/A: The proposed extension would not extend more than a single storey.

(i) PASS: The proposed extension would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would not exceed 3 metres.

(j) PASS: The proposed extension does extend beyond a wall forming a side elevation of the original dwellinghouse but would not

- i. exceed 4 metres in height
- ii. have more than a single storey
- iii. its width would not be greater than half the width of the original dwellinghouse

(k) PASS: The proposed development does not consist of or include the provision of a veranda, balcony or raised platform or the installation of a microwave antenna, chimney, flue or soil and vent pipe or any alteration to any part of the roof of the dwellinghouse.

(l) N/A

A.2

N/A: The dwellinghouse is not located on Article 2(3) Land.

A.3

(a) PASS: The materials of both the single storey extension and the replacement windows are to match that of the existing dwellinghouse as detailed on the proposed elevation drawings.

(b) PASS: The application is for a single storey extension and replacement windows. None of the replacement windows would be within the upper floor of the side elevations.

(c) N/A: The application is for a single storey extension

The planning history for the site has been checked and there is no evidence of permitted development rights being removed. Consequently, it is evident that the proposed extension and replacement fenestrations fulfils the criteria set out in Schedule 2, Part 1, Class A, and is thereby considered to constitute permitted development. Therefore, it is recommended that a Lawful Development Certificate be issued.

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

In light of the above, it is considered the proposal is considered to be permitted development under Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) Order 2015 (as amended).

Suggested Informatives (2)

1

The proposed single storey rear extension as detailed on the drawings detailed below constitutes permitted development pursuant to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended):

P2710 - Exterior Views proposed - received 07/03/2024

P2210 - Sections - Proposed - received 07/03/2024

P2110 - Front and Rear Elevations Proposed - received 07/03/2024

P0600 - Roof Site and Site location Plan - proposed - received 07/03/2024

P2010 - Ground & first floor proposed plan - received 07/03/2024

2

The proposed alterations to the fenestrations as detailed on the drawings detailed below constitutes permitted development pursuant to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended):

P2710 - Exterior Views proposed - received 07/03/2024

P2210 - Sections - Proposed - received 07/03/2024

P2110 - Front and Rear Elevations Proposed - received 07/03/2024

P0600 - Roof Site and Site location Plan - proposed - received 07/03/2024

P2010 - Ground & first floor proposed plan - received 07/03/2024