

Officer Report

Application No.	24/0217/FH
Site Address	26 & 28 Church Street, Folkestone, CT20 1SE
Officer Name	Macey Douglas
Proposal	Listed building consent for minor internal and external alterations and insertion of a new window

Recommendation

Report Number	RD-434214
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	08 April 2024

Report

Site

Nos. 26 and 28 Church St is right at the centre of old Folkestone, on the west side of the triangular shaped churchyard, which lies to the north of St Mary and St Eanswythe Parish Church.

The property was previously two cottages (at the time of listing) but is now one dwelling. The former no.26 (to the north) contains elements of a mid-15th century framed building. The steep hit Kent peg tile roof hints at its early origins although the weatherboarded elevations and fenestration are C.18th.

The former. No. 28 is mid-18th century addition, which is also weatherboarded, with a steep mansard Kent peg tile roof, containing an attic storey.

To the rear is two-storey castellated Folly Tower, built of concrete blocks in the early 20th century. This is now linked to the south-west corner of the house by a glazed conservatory incorporating masonry from a former rectangular building, part of the folly.

Site History

23/0740/FH - Listed Building Consent for external repairs to house and internal alterations - Approved with conditions

Proposal

The application seeks listed building consent for various internal alterations that are minor which are associated with the removal of the existing kitchen, larder and hall and the conversion of this space into a new kitchen.

It also includes the installation of a new boiler with flue outlet balanced through the north wall utilising an existing airbrick opening and the removal of all other existing modern airbricks and replacing with matching brickwork this to make good on repairs.

The proposal also included opening up the previously blocked fireplace opening and inserting a new case window in this position where the former fireplace previously was.

Consultation Responses

Folkestone Town Council – No objection

Heritage Consultant – No objection to the proposed work subject to joinery details being conditioned

Publicity

Neighbour Letters Sent Expiry 22/03/2024

Site Notice Expiry 22/03/2024

Press Advert Expiry 04/04/2024

Representations

1 comment has been received in support of the proposed works.

Relevant Policies

NPPF

Section 16

Paragraphs 195 - 208

NPPG

Historic Environment

Places and Policies Local Plan (2020):

HB1 (Quality Places Through Design), HB8 (Alterations and Extensions to Buildings), HE1 (Heritage Assets)

Core Strategy Review (2022)

Planning (Listed Building and Conservation Areas) Act 1990

Section 66(1)

Appraisal

Design and Visual Impact Upon Heritage Asset

Section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires special regard to be had to the desirability of preserving the Listed Building or its setting or any special architectural or historic features it possesses.

The NPPF requires the impact on the significance of the designated heritage asset to be considered and where potential harm is identified, the harm needs to be categorised as either "less than substantial harm" or "substantial harm" as described within paragraphs 200 and 201. The National Planning Practice Guidance (NPPG) states that whether a proposal causes substantial harm will be a judgement for the decision maker, but it also makes it clear that substantial harm is a high test.

Paragraph 205 of the NPPF states that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of

how substantial or otherwise, that harm might be. Paragraph 206 states that any harm to or loss of the significance of a designated heritage asset should require clear and convincing justification. Where a proposal would result in less than substantial harm, the NPPF requires that it is weighed against the public benefits of a proposal in the manner described in paragraph 208. Heritage benefits are a public benefit to consider in the weighing exercise.

The significance of this building is derived from its strong architectural presence and detailing.

The modernisation of the existing kitchen with the removal of non-original partitions and the blocking of a modern cupboard doorway is not considered to result in harm to the historic fabric of the building given that it would only be affecting modern additions. Therefore, this element of the proposal is considered to be acceptable.

The removal of the modern airbricks and replacing this with brickwork to match the existing is considered be acceptable in this instance and would be a welcomed approach.

Turning to the proposed installation of the new gas boiler, this is considered to be acceptable and makes use of an existing air brick opening to accommodate the balanced flue outlet. This is considered to be acceptable and would not result in harm to the historic fabric of the outbuilding as it would utilise one of the existing modern airbrick openings.

In regard to the newly proposed window where the unblocked fireplace is to the rear is considered to be acceptable as it does not include the complete loss of the fireplace but utilising the space for the new window. The proposed window is considered to be traditionally detailed with slimlite glazing panes fixed to glazing bars. As this is a new window, it is considered that the use of slimlite panes are reasonable as the window is a new insertion which would have a traditional appearance. In the event of an approval details will be required to be submitted through condition.

Through consultation with the heritage consultant, it is considered that the proposed works would not result in the loss of any historic fabric except for the rear fireplace which is part of a 19th century later addition which is not considered to be of any architectural significance.

Considering the above and through consultation with the LPA's heritage consultant it is considered that the proposed works would not result in harm to the significance of the listed building. As such the proposed works are considered acceptable and in accordance with Chapter 16 of the NPPF and satisfies the requirements of the planning (Listed Building and Conservation Areas) Act 1990 in respect of preserving listed buildings and their settings.

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

Considering the above, Listed Building Consent should be granted as it complies with the Places and Policies Local Plan, the NPPF and The Planning (Listed Buildings and Conservation) Act 1990 and is recommended for approval subject to conditions.

Recommended Conditions (4)

1

The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason:

In pursuance of Section 18 of the Listed Building Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2

The development hereby permitted shall not be carried out except in complete accordance with the following approved drawings and documents:

Location Plan

Heritage, Design & Access Statement

A1P PP-15Q-13-Proposed Partial Ground Floor Plan

A2L PP-15Q-14-Proposed North & West Elevations with Proposed New Window

All received 15/02/2024

Reason:

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

3

The development hereby approved shall be carried out in accordance with the details of materials as specified in the application form received 15/02/2024.

Reason:

In the interests of visual amenity.

4

Notwithstanding the approved plans, joinery details at a scale of 1:10 for the proposed new window, shall be submitted to and approved in writing by the Local Planning Authority prior to being implemented on the development hereby permitted. Development shall be carried out in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interest of protecting the heritage and visual appearance of the listed building.