

Officer Report

Application No.	24/0308/FH
Site Address	3 Julian Road, Folkestone, CT19 5HP
Officer Name	Katy Claw
Proposal	Replacement garage

Recommendation

Report Number	RD-434561
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	22 May 2024

Report

SITE

The property subject of this application is located on the western side of Julian Road. The property is set back from the highway with front garden and side driveway/garage.

The garage is flat-roofed and sits in line with the front façade of the main house.

The garage is a later addition although there is no evidence of planning permission for the structure. There are a handful of other flat-roofed garages in the area, including to the neighbouring house which sits to the immediate south.

RELEVANT HISTORY

86/0748/SH – change of use to nursing home
refused

87/0169/SH – conversion into 5 self-contained flats.
Refused

94/0584/SH – erection of a wall and gates to the front boundary
Approved with conditions

PROPOSAL

This application seeks planning permission for a replacement garage following demolition of the existing.

The garage would sit on the same footprint as the existing but the roof would be monopitched with a single rooflight.

The structure would be clad with untreated larch cladding and a standing-seam grey metal roof. There would be a pair of barn doors to the front elevation and a pair of patio doors to the rear.

CONSULTATION RESPONSES

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

Folkestone Town Council – object – there is insufficient detail regarding the adjoining property to judge loss of reasonable privacy to or from the property and the materials are not in the general character area. It is not clear what the use of the garage will be once the works are completed.

REPRESENTATIONS

None received.

PUBLICITY

Neighbours notified by letter. Expiry date 30.04.2024

RELEVANT POLICIES

Places and Policies Local Plan 2020: HB1, HB8, T2, HE2

Core Strategy Review 2022: SS1

NPPF

NPPG

APPRAISAL

Design and visual appearance

In terms of design, the proposal would increase the amount of visual bulk compared to the existing situation, however at single storey the extension would remain ancillary and would be subservient in its form and scale when read against the host two-storey building.

In terms of visual appearance, the extension would sit in line with the main house and would therefore not dominate the streetscene in its position between two two-storey buildings, as per the existing situation. For this reason the extension would not be highly visible on approach along Julian Road.

The cladding and metal roof materials proposed are not a common material feature within the streetscene, although there are other examples of composite cladding along Julian Road. Notwithstanding this, the principle material palette is mainly brick and render.

The site is not located within any designated areas and wooden cladding is generally considered to be of higher quality than composite or uPVC. In that regard, whilst wooden cladding is not commonplace material here, the limited amount of cladding proposed here, as well as the high quality of the material, is not objectionable. However, there are concerns with regard to the larch timber remaining untreated as this paler appearance would give the extension a more prevalent appearance and would likely appear incongruous. As such it is considered that whilst the wooden cladding is acceptable, it should be stained a darker colour in order to mitigate against any visual harm. This can be controlled via a suitably worded planning condition.

The metal sheet roofing is also not a common feature, but this would be a darker colour and more in keeping with the colours of the roofs in the area. By staining the cladding, the roof would not appear as incongruous as it otherwise might have done. Further the roof mass would be visually broken up with a large rooflight. In this regard the proposed materials are not considered visually unreasonable to warrant refusal subject to condition.

Subject to the imposition of the above-mentioned condition, no objection is raised on design and appearance grounds.

Residential amenity

The neighbour considered to be most impacted would be the neighbour to the immediate south, No.1 Julian Road.

The floor area of the garage is not set to increase and so the development would not encroach any closer to the neighbouring boundary than the existing situation. The roof height increase would slope away from the neighbour and as the side elevation of the neighbouring property faces north towards the application site, there would be no increase in loss of light levels of overbearing.

There are side facing windows on the neighbour's property, the larger windows serve staircases as evident by their position and the smaller windows are obscured and would likely then serve non-habitable rooms. There would be no impact upon these windows from a neighbouring amenity perspective beyond what is already experienced on site.

It is noted that Folkestone Town Council has raised objection regarding the potential loss of privacy. The only window proposed would be the rooflight to be inserted into the side roof slope of the replacement garage. The submitted section drawing shows that the rooflight would be above head-height and so it would not be possible for persons within the extension to overlook the neighbour's property. To avoid overlooking of the occupiers by neighbours from the staircase a condition would be placed upon any approval to ensure that the rooflight is fitted with obscure glazing so that this does not occur.

Parking and highways

The driveway would remain operational, and the garage would be replaced with another garage. It is possible that the garage would not be used for parking purposes but this is not uncommon. The existing driveway would remain and off-street parking would be available. There is no increase in the number of bedrooms as a result of this development.

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.

Other issues

Concerns of the Town Council regarding the unclear use of the garage is noted although the description states 'replacement garage' and so it must be assumed that the garage would be in connection with the main house. KCC IGN3 and policy T2 PPLP does not count garage spaces towards parking provision and so it may be that the occupiers opt to use this area as storage or similar. There is no internal door on the drawings and so in this case it would be reasonable to apply a planning condition to ensure that the extension remains incidental to the main house.

The Councils Scheme of Delegation permits the Chief Planning Officer to determine minor applications for extensions where the parish or town council objects. For this reason, the application does not need to be deferred to committee.

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 – 01.03.2024

Block Plan – 01.03.2024

Proposed Front Elevation – 28.03.2024

Proposed Rear Elevation – 28.03.2024

Proposed Side Elevation – 28.03.2024

Proposed Section – 28.03.2024

Proposed Floor Plan – 28.03.2024

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

Notwithstanding the natural larch cladding proposed, the external surfaces of the replacement garage hereby permitted shall instead be clad in dark stained wooden cladding, the details of which (including stock images and manufacturer details) shall be submitted to, for the written approval of, the Local Planning Authority prior to its installation. Thereafter, the development shall be carried out in accordance with the approved details.

Reason:

To ensure that the external appearance of the garage is acceptable in the interest of the visual amenity of the area.

4

Prior to the first use of the extension, the rooflight window on the 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 in accordance with policies HB1 and HB8 PPLP and the NPPF.

