

Officer Report

Application No.	25/1954/FH
Site Address	10 BROOMFIELD ROAD, FOLKESTONE, CT19 4DH
Officer Name	Robert Allan
Proposal	Change of use from private member's club (sui generis use) to 6 residential flats, including the retention of existing 3-bed maisonette. Demolition of external rear staircase and rear extensions and installation of rear balconies. Reinstatement of front light well, erection of railings to front and creation of bike and refuse storage areas.

Recommendation

Report Number	RD-439020
Recommended Decision	Recommended to be Refused
Recommendation Date	12 December 2025

Report

SITE

The application concerns a four-storey property, that is at the northern end of a terrace of Victorian/Edwardian properties within the defined settlement boundary of Folkestone. The property is on the western side of Broomfield Road. The property is finished in a mix of render and red brick, with a mix of architectural detailing and styles. Entrance is via ground floor from Broomfield Road, and also to the side and rear at lower ground floor level via Broomfield Crescent.

The property signage refers to the Oddfellows Club, but the site is currently closed. The plans indicate that lower ground floor is given over to storage / service rooms, kitchen, office and a hall, with the ground floor having a main hall and pool hall. At first floor there is another hall and living accommodation, a three-bedroom maisonette, which extends into the roof space.

At the rear there is a substantial external fire-escape staircase that runs from the lower ground floor to the first floor, as well as a two-storey structure that provides a utility area (lower ground floor) and WC (ground floor). Bin storage is located here, also.

HISTORY

25/1027/FH - Change of use from private member's club (sui generis use) to 6 residential flats, including the retention of existing 3-bed maisonette. Demolition of external rear staircase and rear extensions and installation of rear balconies. Reinstatement of front light well, erection of railings to front and creation of bike and refuse storage areas. Refused.

1. The application property is considered to be a community facility, with the application particulars failing to demonstrate that there is no longer a demand for the facility within the locality, supported by evidence of marketing at a realistic sale or rental price, for an acceptable period of time, contrary to National Planning Policy Framework paragraph 98, Core Strategy policy SS3, and Places and Policies Local Plan policy C2.

PROPOSAL

The application seeks planning permission for the conversion of the building to provide a total of 7 flats, an uplift of 6, as it is proposed to retain the existing maisonette, with 2 flats at lower ground floor level; 3 at ground floor; and with 2 at first floor, with the existing maisonette extending into the roof space, as it currently does. It is proposed to provide associated bin storage at ground floor level to the rear, and to demolish the existing rear buildings and terrace, to be replaced with private rear amenity spaces – lower ground floor for unit 1, balconies to units 3 and 4 at ground floor, and balconies for units 6 and 7 at first floor. Units 2 and 5 would not have external amenity space.

The proposal would create:

Unit GIA Stated Occupancy

Flat 1 - lower ground floor 84sqm 2 bed, 3 person

Flat 2 - lower ground floor 87sqm 1 bed, 2 person

Flat 3 - ground floor

82sqm 2 bed, 4 person

Flat 4 - ground floor

37sqm 1 bed, 1 person

Flat 5 – ground floor 37sqm 1 bed, 1 person

Flat 6 – first floor 90sqm 2 bed, 4 person

Flat 7 – first/second floor 130sqm 3 bed, 6 person

Bin storage would be to the rear of the property, behind an existing fence, accessed from Broomfield Crescent.

Cycle storage space for 14 bicycles would be provided, accessed from the lower ground floor level.

The applicant seeks an uplift of six units, with the fee paid accordingly. While an existing manager's flat is referenced, there is no evidence it is self-contained. Access is via the main entrance, and plans show a shared internal staircase serving all floors. Creating a self-contained unit constitutes development, and there is no planning history or lawful development certificate confirming the residential use is separate from the community facility

Consequently, this flat is considered ancillary to the use, falling within the same planning unit, and 7 units would be provided in total, should the proposal be accepted. However, the fee has been accepted and the application made valid.

Additional information

Clarification on Ownership

The freeholder and previous tenant were separate, unrelated entities. Confusion arose due to the name "Oddfellows Club" being maintained on the building sign. A Statutory Declaration by the freeholder confirms this distinction.

Lease for Private Members Club

The lease confirms the property was let to Cheriton Oddfellows Social Club, operating as a private members club for over 10 years. The lease explicitly required the premises to be run as such.

Evidence of Restricted Access

The club operated a selective membership process, limiting access to the wider community.

Statutory Declaration by Former Tenant

The former tenant confirms strict membership rules, guest policies, and discretionary refusal rights, consistent with maintaining a club premises licence.

Membership Application Process

Applications required nomination and seconding by existing members, followed by committee approval. This process excluded individuals without prior connections. Examples of refused applications are provided in the appendices.

Club Rules

Rules reinforced restricted access: membership limited to those over 18, committee-controlled approvals, and function room hire restricted to members only. This prevented use by the broader community.

Club Premises Licence

The surrendered licence (ref LC202101-1514) imposed conditions limiting entertainment and venue use to members only. New members faced a mandatory waiting period before privileges applied.

CONSULTATION RESPONSES

Folkestone Town Council: No objection.

KCC Highways & Transportation: Outside of consultation protocol.

Environmental Health: No objection.

REPRESENTATIONS

One representation received, objecting to the proposal on the following grounds:

- Inadequate parking

PUBLICITY

Neighbour letter. Expired 08 July 2025

RELEVANT POLICIES

The Development Plan comprises the Places and Policies Local Plan 2020 and the Core Strategy Review 2022.

Places and Policies Local Plan: HB1, HB3, HB8, C2, T2, T5, NE2

Core Strategy Review 2022: SS1, SS3

NPPF paragraphs: 11, 39, 48, 98, 109, 116, 131, 135

APPRAISAL

Location

The site is within the defined settlement boundary of Folkestone and in a sustainable location within walking distance of shops and services. This accords with the principles of Core Strategy Review policies SS1 and SS3, which direct development toward existing sustainable settlements with

opportunity for increased densities. The broad principle of residential development in this location is therefore established subject to all other material planning considerations, as considered below.

Loss of a community facility

The property was a private members club that, when it was operational, provided a ground floor bar, lounge, stage, pool hall and facilities for private members. The applicant has not viewed the property as a community facility and has supplied additional information intended to bolster this claim, as detailed in the 'Proposal' section.

The term 'community facility' is quite wide ranging and the NPPF includes uses such as:

- health, education and cultural infrastructure (para 20)
- local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship (para 88(d))
- places of worship, pubs, music venues and sports clubs (para 200)

Policy CSD3 in the Core Strategy Review reflects the NPPF and includes "...local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship" while the Places and Policies Local Plan reflects the earlier definition in the Core Strategy 2013 and states that "Community Infrastructure - facilities available for use by all the community, such as church or village halls, doctor's surgeries and hospitals. Community facilities could also include nursing homes, public houses, children's playgrounds and sports facilities".

Whether a private members club was a community facility, may depend upon what it was previously used for and how accessible it was to the local community, so if it was a club with an extremely high membership fee, or for a specific clientele, it may not be considered a community facility.

Membership of the Oddfellows Lodge appears centrally controlled, as it is a national organisation, but membership to the Oddfellows Social Club under the recent tenancy was stated to be controlled locally and on a referral basis.

The additional information has clarified that, although named the Oddfellows Social Club, there had been a different operational entity running the lease / licence at the premises, although the Oddfellows Lodge was still in control of the freehold. The membership application form also sets out that all candidates for Membership must be 18 years of age or over, and pay a fee of £25.00, or £15.00 for over 65yrs. Applicants must be proposed and seconded by two Club members.

The submitted information seeks to differentiate the recent usage of the premises under the last tenant from that carried out by the previous tenant and freeholder, the Oddfellows Society. The Oddfellows Lodge website membership page indicates that it is for "...everyone, from all walks of life and all ages..." and are there to support members and the local community. Standard Membership is £25 per year or £35 a year "...with extra benefits...", with a 'Young Oddfellow' membership for Under 18s at £10. It is considered that the costs are comparable and reasonable, so would not exclude people on a financial basis.

Under the recent tenancy, the stated exclusion of non-members from free entry, or the hire of the premises is noted, as is the exclusion of under 18s from membership. However, a review of the Facebook page for the premises, with events spanning from March 2014 to April 2020 and including live music, Easter events, Halloween events, new year's Eve parties, themed discos, and televised sporting events, suggests that the premises were used extensively, with the information on these advertisements being publicly available, open to children (Easter Bonnet Parade) and advertising no

entrance fee for members, with a nominal fee being charged for non-members. The club rules also allow non-members to be signed-in, and allows children, under the supervision of an adult.

Overall, the evidence suggests no significant prohibitive barriers to use, and a range of persons used the site. The strong evidence of consistent and regular social activity at the premises between 2014 – 2020 shows that, even despite the membership constraints, the premises operated as a community facility with social and cultural events being hosted, akin to a music venue and meeting places.

The building is therefore considered to be a community facility.

Paragraph 98 of the NPPF requires that, to provide the social, recreational and cultural facilities and services the community needs, planning decisions should guard against the unnecessary loss of valued facilities and services. This is echoed in PPLP Policy C2 which requires development leading to the loss of an existing community facility to demonstrate that:

1. There is no longer a demand for the facility within the locality, supported by evidence that the premises have been actively marketed for a minimum period of 12 months in the recent past prior to submission of the planning application; and
2. As part of the evidence in point 1 above, the sale or rental price was realistic for the existing use, supported with a written valuation from a commercial estate agent.

The additional supporting information has not addressed the requirements of PPLP policy C2 as set out above and therefore it has not been demonstrated that a) the premises are not a community facility and b) that there is no further need for the community facility.

Amenities of neighbouring and future occupiers

Policy HB1 states that planning permission will be granted where the proposal does not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook. Policy HB3 is concerned with space standards and is considered relevant, whilst policy HB8 seeks to ensure that alterations and extensions should protect the residential amenity of the occupants of neighbouring properties and ensure avoidance of unacceptable overlooking and inter-looking.

Future Occupiers

This facet of the scheme remains the same, where no issue was raised.

All the units shown meet the adopted standards of the nationally described technical housing space standard as regards gross internal area (GIA). Whilst built-in storage is not shown within all units, the rooms are of substantial size to allow furniture to be installed, and it is considered that there would be sufficient area available to provide adequate storage for the future occupants. There is no evidence to suggest that any of the units would have inadequate light or sufficiently poor outlook as to warrant a ground for refusal, with the rooms shown to have obscure glazing, also either being non-habitable rooms, or having a secondary source of direct light that would not be obscure glazed.

External amenity space would be provided for all units, except units 2 and 5. Whilst this is contrary to the development plan, it is noted that both are single room units and therefore likely not to be occupied by families. Unit 2 is notably spacious (87sqm where policy requires 50sqm) and unit 5 meets the policy requirement of 37sqm GIA. Cheriton Recreation Ground is approximately 240 metres away, walking, and whilst this is not a direct substitution for private amenity space, it is

considered that the needs of the future occupiers could be addressed and would be unlikely to form a sustainable ground for refusal.

Overall, an acceptable standard of residential amenity would be provided for future occupiers.

Existing Residential Occupiers

The general nature of the proposed residential uses would be compatible with neighbouring residential uses. Indeed, although there is no evidence of antisocial behaviour arising from the use of the existing facility, events / meetings / general use could be considered less compatible with the residential uses to either side, if not appropriately managed. Overall, there is no likely detrimental impact upon residential amenity for neighbouring occupiers from noise and disturbance.

Most windows and doors would remain the same, although doors would replace existing window openings in the rear elevation to serve the balcony areas at first floor level. The balconies would allow views down to the rear garden areas of the adjacent properties at 8 and 12 Broomfield Road, but it is noted that both garden areas are capable of being overlooked currently from the fire escape and also from the rear windows of neighbouring properties, so there would be no net loss of privacy as to disadvantage existing occupiers. The obscure glazing of windows in the northern flank elevation is primarily for the privacy of future occupants where bathrooms are located but prevents direct looking down from kitchen areas also. This could reasonably be secured via condition.

There are no external alterations proposed that could cause any potential impact from overbearing/overshadowing.

Overall, there would be no detrimental impact upon residential amenity of neighbouring occupiers in accordance with Places and Policies Local Plan policies HB1 and HB8.

Visual Impact

The external alterations proposed remain limited to the minor alterations to fenestration and the addition of balconies to the rear, as well as the removal of the crenelation on the front bay window. Although the balconies are not typical of the area, it is considered that they would not detract from the character or appearance of the existing building or street scene in either form or their provision.

The location of the bins in a specific area to the rear would be appropriate to serve the development without resulting in a detrimental visual impact.

Highways considerations

Policy T2 applies and the site is suburban, with a minimum parking requirement of 1 car parking space per 1-2 bed flat unit, although the 3-bed maisonette would generate a parking demand for 1.5 spaces. Six new flats are proposed which generates a parking demand for 6 spaces, plus 1.5, giving a demand of 7.5 spaces overall.

Due to the constraints of the application site, it is not possible to provide any on-site parking, therefore the parking for the proposed flats would need to be accommodated in Broomfield Road, Broomfield Crescent and the surrounding residential streets. There are no on-street parking controls within Broomfield Road with uncontrolled on-street parking at the rear of the site in Broomfield Crescent, where there is also a free Council operated car park with 30 parking spaces that have a maximum 24 hour stay limit.

The current use would generate a parking demand of approximately 24 spaces, based upon Kent Vehicle Parking Standards July 2006 SPG4, which state 1 space per 22sqm (assembly and leisure) with a GIA of 523sqm for the whole building.

There is no car parking provision associated with the property, currently, and as there would be a reduced demand relative to the current maximum demand, there is no demonstrable detrimental impact likely from the lack of on or off-street parking, and it would not constitute a reasonable ground for refusal in respect of policy T2 of the PPLP.

The submitted plans show cycle storage space proposed to the lower ground floor for 14 cycles, which would exceed the requirements of PPLP policy T5.

Bin Storage

The plans show that the existing rear area utilised for bin storage would provide an area for the storage and collection of waste / refuse / recycling to serve the development, which is considered acceptable and could be secured via condition.

Housing Land Supply / Tilted Balance

Paragraph 11 of the National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development. For decision-making, this means approving proposals that accord with an up-to-date development plan without delay, or, where relevant policies are absent or out-of-date, granting permission unless adverse impacts significantly and demonstrably outweigh the benefit.

Policies are considered out-of-date either where (i) the Council cannot demonstrate a five-year housing land supply, or (ii) the policies are inconsistent with national policy.

On the first point, it is acknowledged that at the time of the application—and currently—the Council can only demonstrate a 3.1-year housing land supply, despite the adoption of a Housing Delivery Action Plan (August 2025). On the second point, the local plan policy cited in the decision notice is C2, which safeguards community facilities and requires proposals to demonstrate that there is no longer a demand or need for the facility in the locality, supported by marketing evidence. This aligns with NPPF paragraph 98(c) which requires planning decisions to guard against the unnecessary loss of valued facilities and services. While the wording differs, the objectives are consistent.

Accordingly, even if C2 were treated as part of a plan that is out-of-date for the purposes of paragraph 11(d), it remains consistent with NPPF paragraph 98(c) and continues to attract significant weight in judging the effect of development on the provision of social, recreational and cultural facilities and services the community needs. The extent of that weight is for the decision-maker, applying planning judgment.

The promotion of healthy and safe communities is a core objective within the NPPF read as a whole and is not considered subordinate to housing supply ambitions. The tilted balance does not neutralise any identified harm, instead requiring a planning balance in which the decision maker gives appropriate weight to harms and benefits, which has been carried out within this report.

The locational aspect of the residential use within the defined settlement boundary of Folkestone, has already been established as being acceptable and the creation of a modest number of residential dwellings is considered a benefit. The economic benefits of construction work, the lack of harm to existing and future occupiers, the acceptability of physical alterations, bin storage facilities, parking

and highway requirements are all considered to carry some positive weight. However, these considerations do not outweigh the potential harm (as set out above) that would arise from the conflict with the development plan and national policy concerning the loss of the community facility, without adequate justification.

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.

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.

Local Finance Considerations

Section 70(2) of the Town & 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 local finance considerations 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. This development would be CIL-liable.

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 development does not conflict with 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. In this instance the development was unacceptable on a matter of principle that would not be able to be addressed within statutory timeframes.

RECOMMENDATION

The proposed development would make a modest positive contribution to housing supply, although this is considered to have limited weight given the in-principle acceptability of the development

within a defined, sustainable settlement. The engagement of the tilted balance through the failure to demonstrate a 5 year housing land supply would not obviate the application of other development plan policies, with specific reference to that protecting community facilities, which the premises, on the basis of available evidence, is considered to be. The acceptance of the proposal in relation to all other identified material considerations is considered a neutral matter in the balancing of considerations and would not weigh in favour of the scheme. Consequently, the proposal is recommended for refusal.

Recommended Refusal Reasons (1)

1

The application property is considered to be a community facility, with the application particulars failing to demonstrate that there is no longer a demand for the facility within the locality, supported by evidence of marketing at a realistic sale or rental price, for an acceptable period of time, contrary to National Planning Policy Framework paragraph 98, Core Strategy policy SS3, and Places and Polices Local Plan policy C2.

Suggested Informatives (1)

1

Your attention is drawn to the fact that this refusal of planning permission is on the basis of submitted documents:

Planning Statement October 2025 and Appendices 1 - 7 inclusive

design and Access Statement 520_DAS_01 May 2025

Block and Location Plan Proposed P0600 Rev No. 1

Elevations Proposed P2110 Rev No. 1

Side Elevations Proposed P2111 Rev No. 1

Basement & Ground Floor Plans Proposed P2010 Rev No. 1

First Floor and Loft Plan Proposed P2011 Rev No. 1

Roof Plan Proposed P2012 Rev No. 1

