

Officer Report

Application No.	25/1797/FH
Site Address	LAND REAR OF 16 JULIAN ROAD, FOLKESTONE, CT19 5HP
Officer Name	Lizzy Nash
Proposal	Residential development comprising of 2 x 2 bedroom apartments and 4 x 1 bedroom apartments.

Recommendation

Report Number	RD-439110
Recommended Decision	Recommended to be Refused
Recommendation Date	12 January 2026

Report

Site

The proposal site comprises of the rear garden of 16 Julian Road a two-storey detached building with dormers within its roof slope providing an additional storey that has been sub-divided into seven flats. 16 Julian Road occupies a corner plot with its north-east side elevation facing Wilton Road. The proposal site would be accessed from Wilton Road.

The existing site is primarily soft landscaped. There are a number of trees within and along its boundaries. One street tree is located to the site's frontage.

The surrounding area is characterised by large, detached buildings, in large plots, with the use of bay windows, high levels of architectural detailing, porches, pitched and hipped roof forms and sash window. These buildings are often divided into flats with shared materials of red brick, render in small amounts, hanging tiles and tiled roofs. The public open space of Radnor Park is located to the east of the site with on-street parking controls on all of the surrounding roads.

The area sits within the settlement boundary of Folkestone and an SSSI Impact Risk Zone and Archaeological Notification Area.

Relevant Site History

Y04/0605/SH – Change of use of dwelling to 6 No. 1 bedroom self-contained flats and 1 No. studio together with a two-storey side extension and other external alterations – Approved with Conditions

SH/80/1103 – Erection of a pair of garages – Approved with Conditions

Proposal

The application seeks full planning permission for the erection of a three-storey block of flats within the rear garden of 16 Julian Road. The building would provide four 1-bedroom flats and two 2-bedroom flats with the third storey is set within the eaves of the roof and accessed from Wilton Road.

The design of the development would include the following features:

- Hipped main roof
- Rendered bay windows that extended into the roof space with a pitched roof
- Dormer window to the front elevation
- Main entrance and central windows are off set from centre of building
- Rear elevation blank in the centre
- In-set balconies at second floor level within roof space that do not line up with fenestrations below
- Attached balconies at first floor level
- Access to private rear amenity spaces at ground floor level
- Brick used for all elevations with the exception of bay windows which would feature render with a tiled roof.

Bin storage is shown as being located to the front of the building with no enclosure proposed. Similarly, bikes would either be located within the rear amenity spaces or within the area accessed via an alleyway to the western side of the building. No parking has been included within the proposal.

Internal floor space:

Flat 1: 2 bedroom - 64sqm

Flat 2: 1 bedroom - 53sqm

Flat 3: 2 bedroom - 64sqm

Flat 4: 1 bedroom - 53sqm

Flat 5: 1 bedroom - 50.5sqm

Flat 6: 1 bedroom - 51sqm

Consultation Responses

Consultation responses are available in full on the planning file.

Folkestone Town Council – No Objection.

KCC Ecology – No Objection subject to condition relating to lighting and the standard BNG informative.

Environmental Health – No objection subject to condition relating to contamination.

Southern Water – No Objection subject to condition relating to surface water and foul drainage.

Affinity Water – No Comment.

KCC Highways – Objection. Proposal is not in accordance with Kent Parking Standards (2025) requiring one parking space per unit and 0.2 visitor parking spaces per unit. No parking survey has been submitted to show that the additional 7 vehicles could be accommodated on street.

Representations

Four representations have been received objecting to the proposal. These comments have been summarised below:

- Parking
- Loss of privacy
- Overlooking to neighbouring properties
- Overshadowing to neighbouring properties
- Not consistent with Character and Appearance of the street scene
- Excessive density
- Contrary to pattern of development
- Overdevelopment of site
- Minimum accommodation standards
- Low quality design
- Lack of character
- Overshadowing to The Coach House

Relevant Policies

Places and Policies Local Plan (PPLP):
HB1, HB3, HB10, T2, T5, CC2 and HE2

Core Strategy Review: SS1, SS3 and CSD6

NPPF and NPPG
Paragraph 11, 48, 131, 135 and 187.

Appraisal

Principle

Under core strategy policies SS1 and SS3 proposals for new development should be focused within the most sustainable towns and villages. The site sits within the settlement boundary of Folkestone, a principal settlement and therefore represents a sustainable location for residential development. Therefore, the principle of the proposal is considered to be acceptable subject to material planning considerations.

Design and Appearance

The proposal seeks the construction of a three-storey building, which involves the partial redevelopment of residential garden land to the rear of 16 Julian Road. The building would occupy a substantial proportion of the plot, resulting in a cramped arrangement that significantly reduces the separation between built structures and leaves very limited external space for both the new and existing property. Furthermore, the proposed building would be positioned forward of the side elevation of 16 Julian Road, which faces Wilton Road, further exacerbating its incongruous siting.

The prevailing character of the area is defined by large, detached buildings arranged within a regular street grid on generous plots. Properties are typically set back from the highway with spacious private gardens to the rear, creating a strong sense of openness and separation between dwellings. Mature landscaping and consistent building lines contribute to a cohesive and attractive street scene. In stark contrast, the proposed development would appear squeezed into a restricted plot, representing an overdeveloped form that fails to respect the established pattern of development. Its scale and massing, relative to the plot size, would result in a visually discordant and oppressive addition when compared to the spacious setting of surrounding properties.

In addition, both neighbouring properties (east and west of the application site) are considerably taller, featuring higher ridge, eaves, and floor-to-ceiling heights despite being of the same number of storeys. By contrast, the proposed development would fail to reflect the scale and proportions of these neighbouring buildings. The reduced ridge and eaves heights, combined with significantly shorter floor-to-ceiling heights, would create a compressed appearance when viewed alongside the existing properties. This would result in a development that appears visually incongruous within its context. Consequently, the proposal would seem disproportionate in terms of height, scale, and bulk relative to adjacent buildings, further exacerbating its failure to respect the prevailing character of the area and causing harm to the street scene.

While infill development is not inherently unacceptable, and it is acknowledged that The Coach House—a chalet bungalow approved in 2006 (ref: Y06/0171/SH)—occupies a position behind principal buildings on the opposite side of Wilton Road, this example is modest in scale and proportionate to its plot. It does not set a precedent for large-scale buildings on constrained sites. Although the proposal attempts to reference some design elements found locally, such as dormer windows and bay features, the overall composition lacks balance and architectural sensitivity. The front elevation, while initially suggesting symmetry through two gabled dormers, is disrupted by an off-centre entrance and dormer, creating a visually awkward appearance. The rear elevation is similarly unrefined, with a blank central section and misaligned fenestration that fails to integrate with the second-floor balconies. This absence of coherent detailing and proportion results in a poorly designed building that does not reflect the traditional decorative styles characteristic of surrounding three-storey properties. Due to its siting and scale, the development would form a prominent and incongruous feature within the Wilton Road street scene.

For these reasons, the proposal would fail to respect the prevailing pattern of development and the character and appearance of the wider area. It is therefore considered contrary to Policies HB1 and HB10 of the PPLP.

Amenity of future occupants/Space Standards

Under HB3 of the PPLP a one-bedroom dwelling for two people is required to provide a minimum internal floor space of 50sqm with a double bedroom measuring at least 11.5sqm. A two-bedroom dwelling for three people is required to provide a minimum internal floor space of 61sqm with a double bedroom of at least 11.5sqm and a single bedroom of at least 7.5sqm. The proposal would meet the above minimum internal space standards as set out under HB3.

In addition to the above the above HB3 sets out that new dwellings should provide a private usable balcony area of at least 1.5m in depth or an area of private amenity space of at least 10m in depth. The first and second floor flats would be served by balconies of approximately 1.5m in depth with the ground floor apartments featuring private gardens between 3.27 and 3.6m in depth. In addition to the above the proposal site is approximately 52m to the east of Radnor Park a protected public open space. In light of the above the proposal is considered to have sufficient access to external amenity space and is therefore acceptable with regard to HB3 of the PPLP.

Residential Amenity

The proposal site is surrounded by residential dwellings to the north, south, and east. In assessing the impact on the adjacent property at 16 Julian Road to the west, this building comprises three storeys, with the third floor accommodated within the roof slope. It would be separated from the proposed development by approximately 7.48m, with its rear elevation directly facing the side elevation of the new building.

The application includes a daylight and sunlight assessment within the Design and Access Statement, which concludes that the proposal would not result in significant overshadowing throughout the day. While this may be accurate in terms of light levels, the close proximity of the proposed building would create a substantial sense of enclosure and an overbearing impact on both the external amenity space and the rear elevation of 16 Julian Road. This effect would be further intensified by the three-storey height of the proposal. In addition, the inclusion of multiple windows within the side elevation would lead to increased overlooking and inter-visibility between the proposed building and existing dwellings, resulting in a harmful loss of privacy for neighbouring occupants. Even if obscure glazing were applied to some windows, the perception of overlooking would remain, given the limited separation distance. Consequently, the proposal would cause unacceptable harm to the residential amenity of 16 Julian Road.

The development would also significantly reduce the depth of the existing communal rear garden serving 16 Julian Road, from approximately 13.7m to just 7.48m. This represents a major reduction in private amenity space for the occupants of the flats within that building. While the presence of Radnor Park nearby provides some mitigation, this loss of garden space is nonetheless a negative aspect of the scheme, though not sufficient on its own to warrant refusal.

To the east, the proposed building would be approximately 18.04m from 5 Radnor Park West. While this separation distance would prevent a direct loss of light or outlook, the inclusion of several windows within the eastern elevation at ground and first floor level would increase opportunities for overlooking, to the detriment of privacy for neighbouring flats.

Furthermore, the introduction of balconies at first and second floor level on the rear elevation would allow for views across adjoining gardens and towards the rear elevations of 16 Julian Road, 5 Radnor Park West, and the garden of 4 Radnor Park West. This would result in both actual and perceived overlooking, causing a significant loss of privacy for neighbouring occupants. Although the property to the south is occupied by Earlscliffe Senior School and Sixth Form, the impact on residential properties remains unacceptable.

The proposal site is separated from The Coach House by approximately 24.8m across Wilton Road, and given this distance, the development would not materially affect the amenity of that property or others to the north.

In summary, the proposal would result in an unacceptable level of harm to the privacy and amenity of neighbouring occupants, contrary to Policy HB1 of the PPLP.

Parking

Under Policy T2 of the PPLP, parking provision within this location should be based on a maximum standard of one space per unit. The proposed development does not include any on-site parking, and Kent County Council Highways and Transportation has raised an objection on this basis.

The surrounding area is subject to controlled parking zones where permits are required for residents. While the absence of on-site parking is noted, the maximum standard under Policy T2, combined with the site's sustainable location—well connected to public transport and active travel routes—means that the lack of parking is not considered to result in a detrimental impact on residential amenity or highway safety. On this basis, the proposal is considered acceptable in relation to Policy T2.

The scheme also includes provision for cycle parking. Under Policy T5, cycle parking should be provided at a rate of one space per bedroom. The submitted block plan indicates cycle storage;

however, where external cycle parking is proposed, it should be secure, covered, and preferably constructed using materials that complement the main building. In the event of approval, these details could be secured by condition.

For the reasons outlined above, while the lack of parking provision has attracted an objection from KCC Highways, the proposal is considered acceptable in principle with regard to Policies T2 and T5 of the PPLP, subject to appropriate conditions.

Ecology and Biodiversity Net Gain

The proposal site falls under mandatory Biodiversity Net Gain and a minimum of 10% applies. The application is accompanied by a BNG Report. The existing site comprises of hardstanding, vegetated garden and mixed scrub with low strategic significance. The proposal would result in a net loss of 100% of the existing on-site habitat and it will not be possible to provide +10% BNG through on-site interventions. The report sets out that this would be addressed through the purchase of 0.09 units of off-site credits.

KCC Ecology has commented on the submitted information and confirmed that is sufficient to recommend approval. However, they have raised concerns regarding the addition of external lighting to the site therefore it is appropriate should the application be recommended for approval to impose a condition requiring the submission of additional details for any proposed external lighting, should the application be recommended for approval.

Arboriculture

The proposal site contains a group of trees and shrubs located outside the usable garden area of 16 Julian Road, along with two additional trees within the garden itself. Beyond the site boundary to the east, there are four more trees and a small group of trees. Two of these are mature street trees—one on Julian Road and another on Wilton Road—while the remaining trees are situated along the eastern boundary and within the rear garden of 5 Radnor Park West. The tree on Julian Road would remain unaffected by the proposal; however, the trees along the western boundary and the street tree on Wilton Road may be impacted.

The submitted tree report has been reviewed by the Arboricultural Officer, who has concluded that the information provided is insufficient to ensure the protection of retained trees both during construction and after completion. This is primarily due to the absence of a Tree Protection Plan within the submitted Tree Constraints Plan, leaving no clear guidance on which trees are to be removed, retained, or how they will be safeguarded. While the Design and Access Statement mentions protective fencing for boundary trees, the proposed block plan shows the building within the Root Protection Areas of trees 5T, 6T, 7T, and group 8G. Protective fencing alone would not prevent root damage from excavation for footings or the patio area to the southwest. To address these concerns, an Arboricultural Impact Assessment (AIA) and a detailed Arboricultural Method Statement (AMS) should be provided prior to determination.

In the absence of this information it remains unclear whether the proposal would adequately protect adjacent trees. The application is therefore considered contrary to Policy HB81 of the PPLP and paragraph 136 of the NPPF.

Surface water and foul drainage

From the submitted drawings it appears that the proposed block of flats would be connected to the existing sewerage system. However, no details of how surface water would be dealt with have been submitted with this application, it is considered appropriate to impose a condition requiring the submission of details of how surface water would be dealt with.

In addition to the above, Southern Water has requested that details of the proposed sewerage connection be submitted to ensure that they are appropriate. This would also be conditioned and is considered to be appropriate to ensure that the foul drainage will be adequately dealt with.

Archaeology

The site is within an Archaeological notification area however due to the minor scale of the development mitigation measures are not required.

Housing Supply/Tilted Balance

Paragraph 11 of the 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 benefits.

Policies are considered out-of-date where (i) the Council cannot demonstrate a five-year housing land supply, or (ii) the policies are inconsistent with national policy. At the time of this application—and currently—the Council can only demonstrate a 3.1-year housing land supply, despite adopting a Housing Delivery Action Plan (August 2025). The relevant development plan policies are HB1 and HB10, which seek good design and safeguard amenity. These align with NPPF paragraph 135, which promotes high-quality design, layout, sense of place, and a good standard of amenity for existing and future users.

Even if HB1 and HB10 were treated as part of an out-of-date plan for the purposes of paragraph 11(d), they remain consistent with the NPPF and continue to attract significant weight in assessing the effect of development on local character and street scenes. The extent of that weight is a matter of planning judgment.

The proposal would provide six self-contained units, making a modest contribution toward housing delivery targets, which carries moderate weight in favour of the scheme. However, this benefit should not override adopted policy objectives. Where a proposal is harmful to the character and appearance of the street scene and to residential amenity, these adverse impacts significantly outweigh the benefits, rendering the development unsustainable and contrary to the aims of the development plan and the NPPF.

Promoting well-designed places is a core objective of the NPPF and is not subordinate to housing supply ambitions. These considerations do not outweigh the harm identified above, including conflict with development plan and national policy regarding design and amenity.

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. The CIL levy in the application area is charged at £70.92 per square metre for new residential floor space.

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.

Duty to cooperate

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), 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 considered unacceptable and there are no amendments to the proposal that would make it acceptable.

Recommendation

Considering the above, the proposal constitutes poor design would lead to unacceptable harm to the residential amenity of neighbouring occupants by way of overlooking, loss of privacy and overbearing presence and a prominent out of character addition to the area, and it is considered that planning permission should be refused.

Recommended Refusal Reasons (3)

1

The proposed development, by virtue of its size, mass, bulk, height, design, proportions, siting on a restrictive plot and scale in relation to neighbouring properties, would create a visually intrusive and incongruous addition that fails to respect the prevailing pattern of development. This would result in an unacceptably cramped form of development, causing significant harm to the visual amenity of the street scene and detracting from its established character and

appearance. The proposal is therefore contrary to Policies HB1 and HB10 of the Places and Policies Local Plan (2020).

2

By virtue of its siting, height, and the position of windows and balconies, the proposed block of flats would create an overbearing presence to neighbouring properties and lead to increased overlooking and interlooking of the rear elevations and private amenity spaces of 16 Julian Road and 5 Radnor Park West. This would result in an unacceptable loss of privacy for the occupants of these dwellings. The proposal is therefore contrary to Policy HB1 of the adopted Places and Policies Local Plan (2020).

3

In the absence of a detailed Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS), the application fails to adequately assess and demonstrate how the development would safeguard protected trees within and in close proximity to the site. As a result, the proposal does not confirm its deliverability in accordance with BS5837:2012. The scheme is therefore contrary to Policy HB1 of the Places and Policies Local Plan (2020) and paragraph 136 of the National Planning Policy Framework (2024), both of which seek to ensure the protection of trees of significant value.

Suggested Informatives (1)

1

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

Design and Access Statement (Received: 25/09/2025)

FP/16JR/02 Proposed Ground and 1st Floor Plans (Received: 25/09/2025)

FP/16JR/03 Proposed 2nd Floor Plan (Received: 25/09/2025)

DL/16JR/09 Daylight/Sunlight Impact (Received: 25/09/2025)

PSP/16JR/08 Proposed Site Plan (Received: 25/09/2025)

FRE/16JR/04 Proposed Front and Rear Elevations (Received: 25/09/2025)

SE/16JR/05 Proposed Side Elevations (Received: 25/09/2025)

LC/16JR/01 location and Block Plan (Received: 25/09/2025)

STE/16JR/06 Existing and Proposed Street Elevation (Received: 25/09/2025)

Tress Survey (Received: 10/11/2025)