



Appeal Decision

Site visit made on 7 August 2019

by Mr Kim Bennett DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th August 2019

Appeal Ref: APP/L2250/D/19/3230916

20 Minter Avenue, Densole, Folkestone CT18 7DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Barlin against the decision of Folkestone and Hythe District Council.
 - The application Ref Y19/0191/FH, dated 20 February 2019, was refused by notice dated 17 April 2019.
 - The development proposed is the demolition of an existing free standing storm damaged garage, existing timber porch and construction of a new single storey attached garage.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing free standing storm damaged garage, existing timber porch and construction of a new single storey attached garage at 20 Minter Avenue, Densole, Folkestone CT18 7DS in accordance with the terms of the application, Ref Y19/0191/FH, dated 20 February 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2535/01/rev A; 2535/02; 2535/03 rev A; 2535/04/rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises a detached bungalow located on the south side of Minter Avenue and on the outside of a bend in the road at that point. It has a side porch and a detached garage, the latter of which adjoins the common boundary with No 18 Minter Avenue. The character of the road is that of bungalows of individual architectural styles with mainly open front gardens. There is open land to the rear and the site lies within the Kent Downs Area of Outstanding Natural Beauty (AONB).

4. The Council considers that the design of the proposed garage has been driven by the irregular nature of the site rather than relating well to the main dwelling and since it would be highly prominent, it would appear incongruous as a result. In that respect, I note that the garage would have an irregular wedge shape because of the alignment of the boundary with No 18 which is at an angle to No 20. However, whilst it might appear a little odd on the plans, I do not consider that will be the case in reality and it would still appear as an adjunct to the main dwelling.
5. The site is well set back from the road frontage and whilst the front elevation would align with the front of No 20, the irregular side elevation would only be partly visible because it would extend beyond the side elevation of the existing attached garage forming part of No 18. That garage is sizeable in itself and also has a flat roof. Additionally, I do not agree that it would be highly prominent in the street scene. Approaching from the east, it would be obscured by the staggered alignment of other properties along Minter Avenue, whilst from the west, it would be partially obscured by the alignment of No 18 which sits forward of that of No 20.
6. I acknowledge that the garage would be visible in closer views and opposite the site, but apart from the large adjoining flat roof garage, there is also a detached flat roof garage directly opposite which is more apparent than the appeal proposal would be. Elsewhere in Minter Avenue and Minter Close, I noted that there are several examples of flat roof garages and even flat roof front extensions in front garden locations. Flat roofs are thus part of the character of the street scene and the proposed garage would therefore not be out of context in that respect.
7. I note that the general thrust of various Development Plan policies is to avoid flat roofs but there are caveats which also allow for such extensions if they do not have a detrimental impact upon the street scene which I consider to be the case here. In any event there are other considerations as noted above, which justify a minor departure from strict compliance with all aspects of the policies in this instance.
8. The Council considers that the development would have a neutral impact upon the AONB given its location within a wholly built up setting, and that there would be no adverse amenity issues to neighbouring properties. I agree with both assessments.
9. Conditions for the development to be built in accordance with the approved plans and for matching materials, are necessary in the interests of certainty and visual amenity.
10. Having regard to the above, the proposed garage would be in general compliance with emerging Policy HB8 of the Council's Places and Policies Local Plan – Submission Draft 2018, and saved Policies BE1 and BE8 of its Local Plan Review, in that it would not have a detrimental impact upon the street scene, would have sympathetic materials and would accord with existing development within the locality.
11. Accordingly, the appeal is allowed and planning permission granted.

Kim Bennett INSPECTOR