
Appeal Decision

Site visit made on 18 August 2020

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 1 September 2020

Appeal Ref: APP/L2250/W/20/3251151

2 Waverley House, Marine Parade, Littlestone TN28 8QN

- 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 & Mrs Robinson against the decision of Folkestone & Hythe District Council.
 - The application Ref Y19/1465/FH, dated 19 December 2019, was refused by notice dated 13 February 2020.
 - The development proposed is side extension.
-

Decision

1. I dismiss the appeal.

Preliminary Matters

2. The second Reason for Refusal makes reference to a spiral staircase and the Decision was based on drawing numbers 09, 10, 11 and 13 showing that feature. The appellant submitted revisions 'A' to those drawings, with the spiral stair replaced with a quarter-landing stair. The appellant has invited consideration of these plans as an alternative, rather than as a substitution, another alternative being the omission of any stair by condition. In accordance with the 'Wheatcroft principles', the changes proposed would be limited and would appear to be improvements to the effects. It is permissible to consider these alternatives in addition to the scheme as applied for.
3. The Council cite saved Policies BE1 and BE8 of the Local Plan Review on design generally and alterations and extensions in particular. Emerging Policies HB1 and HB8 of the Places and Policies Local Plan, concern achieving quality places through design, and alterations and extensions. The Examining Inspector's Report was dated 26 June 2020 and did not propose substantive changes to these policies. With the Main Modifications as proposed, the Plan was found to be 'sound' and hence substantial weight applies.

Main Issues

4. There are;
 - The effect of the proposal on the character and appearance of the Marine Parade area of Littlestone.
 - The effect of the proposal on the living conditions of the occupiers of number 1 Waverley House, with particular regard to privacy and access to daylight.

Reasons

Character and Appearance

5. Policies BE1 and BE8 seek a high standard of layout, design and choice of materials, with alterations and extensions being required to reflect the scale, proportions, materials, roofline and detailing of the original building. Paragraph 124 of the 2019 National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
6. Waverley House is one end of a terrace facing the sea, and whilst at the other end *Clovelly* is markedly different in style, there is a regularity of roofline and storey heights, and the 4 paired houses that include the appeal property share a well-ordered rhythm of steps, projecting bays and columned doors with a continuous balustraded balcony above. Unlike at *Clovelly*, the gable to Waverley House is blank other than the flue projections. There is a gap to a recent development of imposing buildings that have their gable ends towards the sea in a saw-tooth arrangement. That gap, which is the subject of the appeal proposal, was the location of an application for a 4-storey addition (Reference Y19/0833/FH) which was refused by the Council.
7. The appeal proposal would be lower than that previously refused, being an extension at lower ground floor to form a garage and at upper ground floor to provide further accommodation to number 2 at that level. Above that would be a roof terrace shown continuous with that to the front at first floor level with a new access between the chimney breasts.
8. On the front elevation, a new doorway with columns, steps and three-part window opening would be introduced and above that would be a balustrade to continue that in front of the existing first floor. To that extent the proposal would comply with Policies BE8 and HB8 on the need to reflect elements of the original building. However, no matter how well that replication would be carried out, the location of the garage would be uncharacteristic of the terrace and the truncated form above the balustrade would appear out of place and an unbalancing visual influence.
9. The use of flat roofs features in both the saved and the emerging policy, although in the terms of Policy BE8 it could be that this is the only means of providing an extension as allowed for in criterion c), but Policy HB8 does not consider 2-storey extensions acceptable in this situation with a pitched roofed original building, and that is essentially what is proposed here. A terracing effect is warned against on both policies, but the required 1m appears to be available and the next-door building is already set away from the boundary.
10. In conclusion, the gap does not contribute greatly to the character and appearance of the area, due in part to the blank gable end, and some form of infill could be appropriate. However, the choice of replicating elements of the more classical and traditional façade onto a different scale of building is not a successful composition and would erode the architectural value of the existing building while introducing the appearance of a truncated original. The proposal would cause harm to the character and appearance of the terrace and the area and would not be of the standard of design sought in saved Policies BE1 and BE8, emerging Policies HB1 and HB7 and the Framework.

Living Conditions

11. Policy BE8 states that extensions should not cause undue overshadowing of neighbouring property and should allow adequate light and ventilation to existing rooms, and emerging Policy HB8 states similar aims.
12. Looking first at the matter of the stair, the spiral version would pass close to the lower rear window and would cause overlooking and an apprehension of being overlooked, no matter that users would be moving rather than standing and looking. The introduction of a screen could overcome this but would likely be visually intrusive in the outlook. The straight-flight version would be sufficiently removed to avoid the problem.
13. However, both versions rely on a landing outside the new first floor doors which would risk casting a shadow over the window just below. The option to not put this stair in would overcome these shortcomings.
14. The main part of the extension would be flush with the rear wall of the main terrace, not including the almost full-height closet wings, but there would be a part-width rearward projection. This does appear to be outside the 45° line described in the policies. As a result, and with a condition ensuring the omission of the stair, the proposal would not cause undue adverse effects and adequate daylight and ventilation would remain, in accordance with saved and emerging policy requirements.

Conclusions

15. Whilst a condition could avoid harm to the living conditions of neighbouring residential occupiers, the effect on the character and appearance of the area and the original building would be unacceptable, contrary to the relevant policies of the Development Plan and the Framework, and the emerging Plan does not alter that position. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR