



Appeal Decision

Site visit made on 20 July 2021 by Thomas Courtney BA(Hons) MA

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021

Appeal Ref: APP/L2250/D/21/3274237

14 Darlinghurst Road, Folkestone, CT19 4PL

- 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 Wills against the decision of Folkestone & Hythe District Council.
 - The application Ref Y19/0390/FH, dated 1 April 2019, was refused by notice dated 17 February 2020.
 - The development is a single storey rear extension and extension of loft.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and extension of loft at 14 Darlinghurst Road, Folkestone, CT19 4PL, in accordance with the terms of application Ref Y19/0390/FH, dated 1 April 2019 and approved plan no. 201822/01 Rev. C.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The application is submitted retrospectively and during the site visit I observed that the works were completed. Accordingly, I have considered the development on this basis.
4. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (NPPF). Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the NPPF. I am therefore satisfied that there is no requirement to seek further submissions on the revised NPPF, and that no party would be disadvantaged by such a course of action.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host dwelling and the surrounding area.
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Reasons for the Recommendation

6. The appeal site comprises a terraced single-storey dwelling with accommodation set within the roof storey located on the southern side of Darlinghurst Road within an established residential area. The surrounding area is mostly characterised by terraced single-storey properties although there are also some semi-detached and detached two-storey properties in the vicinity. The appeal dwelling and neighbouring properties that form part of the terrace were originally designed with a narrow central rear dormer roof extension with a window serving the staircase. On my site visit I observed that several neighbouring properties had been altered and featured rear dormer extensions of varying designs.
7. The Council has raised no specific objections to the single-storey rear extension, and on the basis of the submissions and my own observations I see no reason to dispute this conclusion.
8. The dormer roof extension to the rear of the appeal property spans the full width of the dwelling and has a shallower pitch than the original roof. It includes two frosted windows and a large central window which serves the staircase. Whilst I acknowledge that the pitch and profile of the rear roof has been altered and that, as a consequence, the rear elevation of the appeal dwelling appears larger in scale and bulk, I do not find that it appears unacceptably dominant or obtrusive. It appears proportional to the host dwelling and complements the architectural form of the original dwelling and terrace by maintaining the roof ridge at the same height, by including a central first floor window in the same position as the original, and by avoiding a flat-roofed appearance. The materials used are also acceptable in this context.
9. Furthermore, I note that several neighbouring properties feature rear dormer roof extensions that have altered the original character of the terrace. To the west of the appeal site, No.2 Darlinghurst Road features an elevated ridge line whilst No.6 features a rear roof extension comparable to the appeal property. Similarly, to the east, No.18 features a full width dormer roof extension. Given this inconsistency in design appearance, the appeal dwelling's rear dormer extension does not appear incongruous in this context.
10. The development is not visible from Darlinghurst Road but can be viewed from a rear alleyway, neighbouring gardens, from the rear elevations of the properties on Stoddart Road to the south, and from Bowen Road to the east. However, I am not persuaded that given the proportional size of the development, it features prominently or appears in this context to be visually harmful. I am satisfied that the dormer roof extension has not adversely altered the scale and form of the property and has not harmed the character and appearance of the surrounding area.
11. Given the above, the development would not conflict with Policies HB1 and HB8 of the Folkestone & Hythe District Place and Policies Local Plan which together seek to ensure developments are well-designed and respect local context.

Other Matters

12. I note that a neighbouring occupant expressed concern with regard to a loss of privacy as a result of overlooking from the appeal dwelling's rear first floor window. Given the orientation of the houses and separation distances between

the appeal dwelling and neighbouring properties to the south, I am satisfied that no unreasonable loss of privacy has occurred and that the living conditions of neighbouring occupiers are protected. I concur with the Council's position on this matter, and I have therefore not attributed any significant weight to this point.

13. A neighbouring occupant also raised concerns regarding access to the rear alleyway. On my site visit I did not observe any obstructions as these were likely related to the construction of the development. With the works now completed I am satisfied this issue has been resolved.

Conditions

14. The Council has suggested a number of conditions that it would wish to see imposed in the event that the appeal was successful. I have considered the suggested conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance.
15. I have identified the approved plans within the terms of the decision in order to provide certainty. As the development has already been built I have not imposed the standard condition relating to the commencement of development. For the same reason I have also not included a condition requiring the external materials match the existing building.

Recommendation

16. The development would not result in an adverse effect on the character and appearance of the host dwelling and surrounding area, would not conflict with the development plan taken as a whole, and there are no material considerations that indicate the decision should be made other than in accordance with the development plan.
17. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Martin Seaton

INSPECTOR