

Appeal Decision

Site visit made on 29 October 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 29 November 2021

Appeal Reference: APP/L2250/D/21/3283336

Land at 55 Tanners Hill Gardens, Hythe CT21 5HX

- 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 A Morris against the decision of Folkestone & Hythe District Council.
 - The application (reference 21/1207/FH, dated 4 May 2021) was refused by notice dated 5 August 2021.
 - The proposed development is described in the application form as follows: *"The applicant wishes to remove the existing very dated garage and coal shed to the side and erect an enlarged garage with home office space above and a self contained annexe at the rear (single storey) to facilitate the accommodation and care of an elderly relative"*.
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Decision

1. The appeal is dismissed.

Preliminary points

2. Notwithstanding the description of the proposed development that was given in the application form, the nature of the proposal can more clearly be expressed as set out in the Council's decision notice, as the "removal of existing garage/coal shed and erection of replacement garage with home office above and a self contained annexe to the rear".

Main issue

3. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings.

Reasons

4. The appeal site is located in a residential area, in the northern part of Hythe, where a variety of dwelling types and styles is to be found. Tanners Hill is a fairly busy through route that connects School Road with North Road and Station Road, sweeping around a hill that has open land at the summit. Houses built around the north-east slope of the hill are reached by Tanners Hill Gardens that runs parallel to the busier Tanners Hill and at a higher level,

though the roads come together at the junction with School Road and Castle Road.

5. At the western end of Tanners Hill Gardens, where it also meets School Road and Castle Road, there is a variation in house types. The nearest houses to the junction are substantial detached houses, as are houses in Castle Road, around the corner. By contrast, houses to the east are typically semi-detached pairs, usually set back from the street frontage behind their front gardens.
6. The existing house at number 55 Tanners Hill Gardens is also a detached house, with some "Tudor" detailing, but with some similarities of scale to the semi-detached houses to the east. Although the house stands on a plot that has a wide frontage, a detached garage and coal shed stands alongside the house itself, taking up much of the width of the plot. This garage building exhibits an "Art Deco" rectangularity of style but it is a simple building and its loss need not be regretted.
7. It is now proposed to demolish the garage and coal shed and to build a new outbuilding in its place. The new building would comprise a double garage with a "home office space" above, combined with a single storey "self contained annexe" at the rear.
8. Policies in the 'Places and Policies Local Plan' (which was adopted in September 2020') are particularly relevant to this appeal. Policy HB1 is a general policy that seeks to achieve "Quality Places Through Design" and which draws attention to a range of design considerations. Policy HB8 provides specific criteria in respect of "Alterations and Extensions to Buildings", while Policy HB9 does so in relation to "Annexe Accommodation".
9. The 'National Planning Policy Framework' (which was revised in July 2021) likewise includes the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation.
10. In this case, the proposed annexe building would be separate from the existing house, creating a distinct element in the streetscene. Its front elevation would, inevitably, be dominated by the garage door, as an ancillary garage to the existing house, and it would have a lower ridge height than the house. Even so, the visual relationship between the two buildings would be tenuous and the new building would have a clearly separate character.
11. Policy HB8 notes that "the proposed annexe should have a clear dependency in terms of siting and function with the main dwelling". In some cases, it is especially desirable for annexes to be attached to the host building, so that care can be provided easily. On the other hand, of course, outbuildings may be desirable for a variety of reasons and the impact of any particular proposal needs to be considered on its own merits.
12. In this case, the appeal site is located in a built-up part of Hythe, on a developed street frontage. The streetscene is softened by the existence of a wide sloping belt of land between Tanners Hill Gardens and Tanners Hill, which provides space for trees and shrubs opposite the houses, while the buildings

are constructed in traditional styles, with some variety. Nonetheless, the proposed new building would introduce an awkward element into the frontage that would appear as an independent building in its own right, entirely separate from the host building but smaller and out of scale with its neighbours either side and without a visual relationship or clear connection to the host building.

13. The appeal site includes an under-developed frontage that evidently offers scope for an outbuilding or extension. Nevertheless, the current proposal would create an unsatisfactory intrusion in the streetscene that would rival the host building and would be unsympathetic to it in design terms.
14. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) that are aimed at achieving well designed places and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR