
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/21/3278408

Land at 6 Redbrooks Way, Hythe CT21 4DN

- 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 S Winton and Ms D Christie against the decision of Folkestone & Hythe District Council.
 - The application (reference 21/0643/FH, dated 23 March 2021) was refused by notice dated 26 May 2021.
 - The development proposed is described in the application form as a “first floor side extension”.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a first-floor side extension, at 6 Redbrooks Way, Hythe CT21 4DN, in accordance with the terms of the application (reference 21/0643/FH, dated 23 March 2021), subject to the conditions set out in the attached Schedule of Conditions.

Main issues

2. There are two main issues to be determined in this appeal. The first is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the impact that the proposal would have on neighbours’ privacy.

Reasons

3. The appeal site lies in a suburban area to the north-west of the town centre, close to the edge of the settlement, where it gives way to more open countryside. The dwellings in this part of Hythe are mixed in character and this part of Redbrooks Way shows a variety of styles and sizes of homes, though they are generally detached properties, a mixture of bungalows (often with some accommodation on an upper floor) and two-storey houses. Variation in the townscape is also generated by the steeply sloping character of the land and the relationship between different dwellings and the road levels.
4. Number 6 Redbrooks Way is a two-storey house, constructed of brickwork, with a white boarded panel as an architectural feature on the front elevation, under a tiled main roof. A long sloping roof on the front part of the building extends

over a single-storey study at the side of the main volume (with a roof space above the study). A single-storey section behind the study provides a "breakfast" room, which has a flat roof. A single storey, irregularly shaped garage alongside the house also has a flat roof. The building is located on a bend in the road and is set below the road level on the hillside, with long views over the town and towards the sea.

5. It is now proposed to construct a first-floor extension above the existing single-storey flat-roofed section, over the breakfast room, to provide a new bedroom and en-suite shower room, opening off the first-floor landing (where there is currently a side window).
6. 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, while Policy HB8 provides specific criteria in respect of "Alterations and Extensions to Buildings".
7. The 'National Planning Policy Framework' (which was revised in July 2021) includes the aim of "achieving well designed places" in the broadest sense (notably at Section 12), without seeking to imposed detailed criteria. 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.
8. The proposed new extension would retain the long front slope of the existing roof, which is an architectural feature of the existing building. The new extension would be only partially hidden behind this roof, in public views from the road, but it would be constructed with roof tiles to match those of the existing house, with wall facings of "weatherboarding to match existing", thus echoing the architectural feature from the front elevation.
9. The new extension would be in harmony with the existing building in respect of the materials to be used and it would integrate well with the original design, creating a completed scheme that would be attractive as a whole and would not create an intrusive or bulky element in the streetscene. I am convinced that the finished design would be a worthy architectural composition that would satisfy the aims of both national and local design policies.
10. Nevertheless, I share the concern that has been raised about the potential for overlooking the neighbouring property at number 8 Redbrooks Way. The proposed new bedroom would have its main window in the rear elevation of the house, enjoying extensive views, but an additional window would be introduced into the side elevation, looking over the existing garage roof towards the side boundary.
11. It is noted, of course, that the existing window at the head of the stairs looks towards the side boundary, across the roofs of the garage and "breakfast room", but the new window would be closer to the side boundary and would have more potential for overlooking. I accept that the degree of overlooking may be limited but, nevertheless, the new window would have a significant impact on neighbours' privacy.

12. It has been suggested, however, that this objection could be overcome by the imposition of a suitable condition to require the side window to be glazed with obscured glass and I accept the force of that proposition.
13. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed extension would be a useful addition to the accommodation at 6 Redbrooks Way. The extension itself has been well designed, in harmony with the host building, and I have concluded that the objection which has been raised in the Council's second reason for refusal can be overcome by the imposition of a suitable condition. Thus, the project would not be in conflict with the Development Plan or national planning policies.
14. In short, I am persuaded that the scheme before me can properly be permitted, subject to conditions, and, 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.
15. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of those suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.
16. A standard condition is necessary, to identify the approved drawings. It has been proposed that the material to be used for facing the external walls of the extension would be new "weatherboarding" to match the existing boarding on the building (rather than brickwork) and the standard condition to require the use of matching materials is also appropriate and necessary for the avoidance of doubt. In addition, I have attached a condition to require the new side window to be glazed with obscured glass, as explained above.

Roger C Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number 20210323/1 (Proposed Block Plan and Location Plan);
 - drawing number 20210323/2 (Ground Floor Plan);
 - drawing number 20210323/3 (Existing First Floor Plan);
 - drawing number 20210323/4 (Proposed First Floor Plan);
 - drawing number 20210323/5 (Existing Roof Plan);
 - drawing number 20210323/6 (Proposed Roof Plan);
 - drawing number 20210323/7 (Perspectives – Front);
 - drawing number 20210323/8 (Perspectives – Rear);
 - drawing number 20210323/9 (Existing Elevations);
 - drawing number 20210323/10 (Proposed Elevations).
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.
4. Prior to the first use of the first-floor extension as hereby permitted, the proposed window in the north-west (side) elevation of the extension, except for that part of any window which is at least 1.7 metres above finished floor level in the room in which the window is installed, shall be glazed in obscured glass and shall also be fixed shut. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no further modifications to this window shall be made and no windows, doors or openings of any kind shall be inserted in this elevation of the extension without the express written approval of the local planning authority.