

Appeal Decision

Site visits made on 29 October 2021 and 16 December 2021

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

an Inspector appointed by the Secretary of State

Decision date: 21ST December 2021

Appeal Reference: APP/L2250/D/21/3282521 Land at 6 Colins Way, Seabrook, Hythe CT21 5TU

- 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 Hickman against the decision of Folkestone and Hythe District Council.
 - The application (reference 21/0773/FH, dated 4 April 2021) was refused by notice dated 2 June 2021.
 - The development proposed is described in the application form as “proposed front dormer and extension and alterations to rear dormer”.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed front dormer, and for extension and alterations to rear dormer, at 6 Colins Way, Seabrook, Hythe CT21 5TU, in accordance with the terms of the application (reference 21/0773/FH, dated 4 April 2021) subject to the conditions set out in the attached Schedule of Conditions.

Preliminary points

2. For the sake of clarity, the site address given above is taken from the appeal form.

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 lies within a residential area of Hythe, a short distance inland from the coast but on hilly ground where there are views over the sea, nevertheless. The area is suburban in character, with a range of dwelling types on good sized plots that benefit from mature gardens. Many properties have been altered and extended over the years, and dormers are not uncommon, either as a feature of an original design or as a result of adding to an original design.

5. Many of the homes in the area are semi-detached houses including some of those in Colin's Way. Number 6 Colin's Way is paired with its neighbour at number 4, under a shared main roof. The structure is essentially single-storey, with some accommodation at first floor level served, in part, by an existing rear dormer at the appeal site. There is a modest single storey structure at the side of the main part of the building with a large modern extension at the rear, finished with grey timber cladding and also single storey. The garden is secluded and is well used, with a number of domestic outbuildings.
6. Number 6 Colin's Way is traditional in design, with a half-hipped tiled roof above rendered walls. The existing bedrooms on the first floor are lit by windows in the gable end and a small dormer on the rear roof slope. A "velux" window lights the stairwell. It is now proposed to increase the first floor accommodation by adding a new dormer to the front roof slope and extending the dormer on the rear roof slope.
7. 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".
8. 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.
9. The proposed dormer on the front elevation would be modest in scale and designed with a hipped roof finished with roof tiling to reflect the roof construction of the existing building. Thus, it would be in keeping with the host building and it would not be out of place in the streetscene by comparison with other buildings nearby.
10. The proposed rear dormer would be wider than the existing dormer on this roof slope and it would be finished with a new hipped roof of fibreglass construction (although it can be observed that similar dormers are often completed with flat roofs). The angle of the fibreglass roof would be much shallower than that of the existing dormer or of the house itself. Located at the rear of the property, however, it would not be visible from the public highway. Nor would it be unduly intrusive in views of the rear of the property. The scale and form of the dormer would make it somewhat ungainly but it would not be so alien to the host building as to be architecturally unacceptable in its location.
11. In short, the scheme as a whole would be acceptable in visual and architectural terms. It would not be unduly top heavy nor overly dominant in its context and it would not have an unacceptable visual impact on the character and appearance of the host building or its surroundings. Thus, it would comply with the most relevant Policies in the 'Places and Policies Local Plan'.
12. 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 number 6 Colin's Way. The contribution that

the appeal scheme would make to the provision of residential accommodation in the locality, even though it would be very limited, weighs in favour of the appeal. I have concluded that the project would not be in conflict with the Development Plan, in principle, and I am persuaded that the scheme before me can properly be permitted, subject to conditions. 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.

13. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal), subject to modifications necessary, in my opinion, in the interests of clarity and enforceability. In particular, I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.
14. In relation to the materials to be used, it is noted that the proposed new rear dormer would be roofed with fibreglass construction, as stated in the planning application form. A specific condition is required, therefore, to define the materials to be used by reference to the application form.

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:
 - unnumbered Ordnance Survey location plan (1:1250);
 - drawing number DS/2241/a (Existing Block Plan);
 - drawing number DS/2241/b (Proposed Block Plan);
 - drawing number DS/2241/1 (existing first floor plan and section A-A);
 - drawing number DS/2241/2 (existing elevations);
 - drawing number DS/2241/4 (proposed first floor plan and elevations).
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as those stated within the application form dated 4 April 2021.