



Appeal Decision

Site visit made on 4 October 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2022

Appeal Ref: APP/X2220/D/22/3301247

2 Foster Way, Deal CT14 9QP

- 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 Dean Barry against the decision of Dover District Council.
 - The application Ref 22/00301, dated 2 March 2022, was refused by notice dated 13 April 2022.
 - The proposed development is for the erection of a two storey side extension and a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey side extension and a single storey rear extension at 2 Foster Way, Deal CT14 9QP in accordance with the terms of the application, Ref 22/00301, dated 2 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: EMA-2021-32-01 Rev 02 (site plan & proposed block plan), EMA-2021-32-02 Rev 02.
 - 3) The external finishes of the development hereby permitted shall match in material and colour those of the existing dwelling.
 - 4) The scheme hereby permitted shall not be used other than for purposes ancillary to the use of the dwelling known as 2 Foster Way, Deal CT14 9QP.
 - 5) No development shall take place above ground level until details indicating the positions, design, materials and type of any boundary treatment to be erected on the site have been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the occupation of the development to which those details relate and retained thereafter.
 - 6) The window in the first floor northwest-facing wall hereby permitted shall be fitted with obscured glazing (to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority), and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Main Issue

2. The main issue is the effect of the development on the character of the dwelling and the surrounding area.

Reasons

3. The appeal site relates to a two-storey, semi-detached house sited on the junction between Foster Way and Dola Avenue, with a driveway and off-street parking to the front. The surrounding area is predominantly residential in nature.
4. I consider that the side and rear additions would reflect the scale and proportions of the existing property. They include pitched roofs that would visually connect with the overall appearance of the dwelling, furthermore the two-storey side element would be set back behind the front elevation of the host building, and below the main ridge line, to provide a degree of subservience. To my mind, the modest wraparound ground floor section with its monopitch roof would integrate with the house without being imposing or resulting in a contrived design solution. I appreciate that alterations to semi-detached properties will inevitably result in an imbalance to an original pair, however the development before me would not be detrimental in this respect due to its scale and design as reasoned above.
5. My attention has been drawn to a previous scheme concerning the site, which was dismissed by an Inspector in December 2017 (ref: APP/X2220/W/17/3180281). I am of the view that this appeal proposal is materially different; amongst other things it is for extensions rather than a new dwelling, these would be subservient to the main property, and the projection to the side would be narrower. Such differences ensure that the addition would assimilate without causing undue harm to the spatial quality of the area or appearing as a cramped form of development.
6. I conclude that the scheme would not result in harm to the character and appearance of the dwelling and the surrounding area. It would be consistent with the advice in the National Planning Policy Framework (the Framework), which states that good design is a key aspect of sustainable development.

Conditions

7. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. I have altered the wording of some of the conditions suggested by the Council in the interests of clarity and necessity. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning. Conditions requiring external materials to match those on the existing dwelling and information regarding boundary treatments would provide for a satisfactory appearance.
8. A condition restricting the occupancy of the building is necessary to prevent it being used as a separate unit of accommodation, as per the description of development and the appellant's intentions. Obscure glazing to the new first floor bathroom window would protect the living conditions of the occupants of neighbouring houses.

Conclusion

9. Based on the preceding, the appeal succeeds.

C Hall

INSPECTOR