



Appeal Decision

Site visit made on 16 November 2022

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2022

Appeal Ref: APP/L2250/W/21/3287741

Houghton House, 16 Radnor Park Road, Folkestone, CT19 5AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Eco-regeneration LLP against the decision of Folkestone and Hythe District Council.
 - The application Ref 21/0992/FH/PA, dated 5 May 2021, was refused by notice dated 5 July 2021.
 - The development proposed is for 4no. residential apartments over 2no. new floors on the existing residential building. The new staircase is located to the centre of the existing building above the existing staircase. All 4no. apartments are designed to meet space standards as highlighted on the proposed floor plans. The design uses off-white render to match the materials of the existing building. The windows are white upvc to also match what's existing. The ground floor plan indicates parking, refuse and cycle storage for the whole apartment block. Dimensions are provided on the plans and elevations to show room and window sizes. No additional windows are proposed to the side elevations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Class A of Part 20 of the Order contains a permitted development right for new dwellinghouses on detached blocks of flats subject to several restrictions and conditions. One of these requires application to be made for prior approval as to the external appearance of the building.
3. In prior approval cases there is no requirement to have regard to the development plan as there would be for any development requiring planning permission. Nevertheless, Policy HB1 of the Places and Policies Local Plan is a material consideration. In determining an application, the local planning authority must take any representations made into account. It must also have regard to the National Planning Policy Framework so far as relevant to the prior approval matters and as if the application were a planning application. The same approach will be taken in deciding the appeal.

Main Issue

4. There is no dispute regarding any of the limitations on permitted development in paragraph A.1. Therefore the main issue is the effect of the proposed development on the external appearance of the building.

Reasons

5. Houghton House is a 4-storey block of flats on the eastern side of Radnor Park Road and opposite the park. The majority of the planning history for the site dates from between 1960 and 1965. The building has masonry 'ends' on either side of central balconies. The proposal is to increase its height by 6.3m to accommodate four additional flats.
6. The proposed upper floors would be finished in white painted render with the intention of providing a 'lighter' visual impact. However, the plane of the front and side elevations would be continued upwards and the fenestration pattern perpetuated. The effect of this would be to create an odd-looking, two-part building that would neither fully reflect the existing materials nor clearly contrast the original and additional parts by means of design or set back.
7. Because of its width, Houghton House is somewhat squat. However, the two extra floors proposed would lead to an ungainly and awkward building rather than one that is well-proportioned. Indeed, the overall impression would be that additional tiers of development have been arbitrarily placed on top of the existing building. This would give rise to a discordant appearance.
8. Notwithstanding the comments made by the Inspector in the appeal at Seaforth Court, Eastbourne (Ref: APP/T1410/W/20/3263486), it is also legitimate to consider the external appearance of the building within the context of its surroundings. In this respect, the appeal property is within a row of generally three-storey Victorian/Edwardian buildings. The contrast between the proposal and their consistent style and height only serves to accentuate the objections to the external appearance that have been identified.
9. The Council labels the existing building as "incongruous". However, the fact that Houghton House is distinctly different to the properties along this part of Radnor Park Road does not justify the proposal. There may also be taller buildings in the vicinity but this does not alter the unsatisfactory external appearance that would ensue if the proposal went ahead.
10. The appellant also draws attention to my decision at Willow Court (Ref: APP/L2250/W/21/3279975). However, in that case the effect on amenity was the main issue. Moreover, the design of the extension distinguished the upper levels from the existing building and the proposed development was seen in the context of rising land and forest trees. That scheme can therefore be differentiated from this one.
11. The Framework seeks to achieve well-designed places and indicates that good design is a key aspect of sustainable development. Policy HB1 is concerned with quality places through design. However, in this case, the external appearance of the resulting building would be unacceptable.

Other Matters

12. A number of concerns have been raised by local residents including parking, structural stability, overlooking, outlook, overshadowing, future maintenance, access, refuse and construction traffic. Some of these matters cannot be considered through the prior approval process. The appellant has also provided transport and sunlight and daylight assessments and the Council has no objections in these respects. Given the findings about the external appearance

of the upward extension there is no need for these additional matters to be addressed in any detail.

Conclusion

13. Having regard to the reasons given above, prior approval should not be granted and the appeal dismissed.

David Smith

INSPECTOR