



Appeal Decision

Site visit made on 3 November 2023

by N Perrins BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2023

Appeal Ref: APP/L2250/D/23/3325127

5 Naildown Close, Hythe, Kent CT21 5TA

- 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 Su against the decision of Folkestone & Hythe District Council.
 - The application Ref: 23/0337/FH, dated 1 March 2023, was refused by notice dated 27 April 2023.
 - The development proposed is for roof extension with use of roof space as living accommodation together with front facing dormer and 1 rear facing rooflight.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the area and (ii) highway safety.

Reasons

Character and appearance

3. The appeal site comprises a three storey semi-detached town house with a pitched roof. The property has an integrated garage at ground floor and off-street parking to the front with space for one car. To the rear is a terraced garden that rises upwards to border Naildown Drive behind. Naildown Close is a cul de sac that comprises mainly other three storey semi-detached town houses with a mix of styles.
4. The proposed roof extension would raise the height of the ridge line by approximately 1m and include front dormer windows and a rooflight on the rear facing slope. There would also be a front roof terrace created by the proposed setting back of the dormer windows into the roof extension.
5. A key aspect of the character of the Naildown Close is that the semi-detached dwellings generally have a uniformity and symmetry in terms of their height and roof design. This is particularly the case with the appeal site and its immediately adjacent neighbours, which all have a consistent roof form, design and height. This existing uniformity and symmetry would be disrupted by the proposed 1m increase in ridge height and then exacerbated by the increase in bulk and mass from the roof form including front dormers. The overall effect of the proposal would be to create a top heavy and flat roofed development when

viewed in the street scene. This would lead to harm to the character and appearance of the area by introducing an increase in height, bulk and mass to the roof that would be incongruous and out of place in its context.

6. The appellant has drawn attention to roof extensions at Nos 11 and 12, as potential comparators to the appeal scheme given their similar design with raised ridge heights and flat roofs. Whilst they demonstrate that there have been roof extensions along the road, the specific details in terms of their approved height, scale and massing are not before me. Notwithstanding this, it was evident from my site inspection that Nos 10 and 11 are a connected pair of semi-detached dwellings that having been developed together results in them appearing as symmetrical and unobtrusive in the street scene. Nos 11 and 12 are also located further down Naildown Close towards the end of the cul de sac in a less prominent location than the appeal site. In contrast, the appeal proposal would result in an overly large roof extension that would look out of place with its immediately adjacent and connected dwelling as well as the immediate character of the street scene.
7. The increase in roof height, flat roof appearance, bulk and mass and disruption it would cause to the existing roof line would also be visible from Naildown Drive at the rear of the property. This further emphasises that the appeal proposal would result in a development that would not assimilate successfully with the character and appearance of the area. I acknowledge that the boundary treatment to the rear of the appeal site could provide for some screening of the appeal proposal from Naildown Drive. However, the appeal site can also be viewed from other vantage points outside of the appellant's control meaning that the proposal could not be hidden by boundary treatments in its entirety.
8. In conclusion and for the reasons given, the appeal proposal would harm the character and appearance of the area and does not comply with Policies HB1 and HB8 of the Folkestone and Hythe Places and Policies Local Plan 2020 (the Local Plan), which amongst other things require development to make a positive contribution to its location and surroundings, enhance integration with existing buildings, reflect the scale, proportions, roof line and detailing of the original building and not have a detrimental impact on the street scene. The appeal proposal would also not be consistent with Paragraph 130 of the National Planning Policy Framework (the Framework), which seeks to ensure that developments are sympathetic to local character. This is a planning harm that attracts considerable weight.

Highway Safety

9. The Council's decision notice refers to the appeal proposal not being in accordance with the parking standards set out in Policy T1 of the Local Plan whereas the Officer's report refers to Policy T2. The use of Policy T1 in the decision notice appears to be an error. Notwithstanding this, the indicative parking standards produced by Kent County Council have been provided and it is clear that the extended house would be required to provide 2 spaces based on the total number of bedrooms proposed. I note that the existing 3 bedroom dwelling would also be required to provide 2 spaces so in this regard there is no difference in the number of spaces that should be provided between the existing and proposed development. Accordingly, the appeal property already has 2 off street parking spaces with both a garage and small driveway in situ. I

note that the Council state that garages are no longer able to be included as parking provision although no information has been provided that confirms this as a policy requirement. I also acknowledge that the appellant considers the driveway has room for 2 off-street spaces, although the hard surfacing that exists only appears large enough to accommodate one car in practice.

10. The Council are concerned that the development may result in additional cars parking on the pavement if the garage is indeed not able to be counted as part of the parking provision. In this regard, I accept that the street is narrow and I observed vehicles partially parking on pavements. Whilst this was ad hoc and informal it did not appear to be unduly safe for pedestrians given that the road itself is a small cul de sac with no parking restrictions and that will have comparatively few movements in any given day. In this context, even without the garage being able to be counted as off-street parking, I am not persuaded there would be a materially harmful impact from the appeal development on highway safety when compared to the existing situation.
11. In conclusion, for the reasons given I am not persuaded that there would be any material harm to highway safety arising from the appeal scheme, particularly when compared with the current situation and parking provision available. I therefore conclude that the appeal proposal accords with Policy T2 of the Local Plan. However, the absence of this planning harm attracts neutral weight.

Other Matters

12. There is no dispute between the parties regarding the impact on the living conditions of neighbouring properties. I agree that the appeal proposal has been designed well in this regard and agree that it would not give rise to material harm to overlooking, loss of outlook or light. However, finding no harm in this respect is a neutral factor that has no weight for or against the scheme.

Conclusion

13. For the reasons given above the appeal is dismissed as the proposal is not consistent with the policies of the development plan as a whole due to its impact on the character and appearance of the area and there are no material considerations that would lead me to a different conclusion.

N Perrins

INSPECTOR