



Appeal Decision

Site visit made on 16 April 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01.05.2024

Appeal Ref: APP/L2250/D/24/3337905

42 High Knocke, Dymchurch, TN29 0QD

- 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 Tim Vicars against the decision of Folkestone & Hythe District Council.
 - The application Ref 23/1506/FH, dated 25 September 2023, was refused by notice dated 5 December 2023.
 - The development proposed is described as removal of dilapidated flat roof and the construction of pitched roof with rooms in front dormer and rear balcony together with single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. Since the appeal application was refused the National Planning Policy Framework 2021 has been replaced by the National Planning Policy Framework December 2023 (Framework). Whilst the new Framework has introduced a number of changes, they are not material to my consideration of the appeal proposal. For the avoidance of any doubt, I confirm that in this decision I have referred to the new Framework.

Main Issues

3. The first main issue is the effect of the proposal on the character and appearance of the host dwelling and the wider street scene. The second main issue is the effect of the proposal on the living conditions of the occupiers of 40 High Knocke (No.40), with particular regard to visual impact and loss of daylight/sunlight.

Reasons

Character and appearance

4. The High Knocke is primarily characterised by a mixture of detached and semi-detached detached family dwellings, which are set back from the street scene behind shallow front gardens.
5. The appeal dwelling occupies a modest sized irregular shaped plot located at the end of the road. It is sited close to and projects forward of the adjacent recessed part of the dwelling at No.40. Due to the relatively modest height of the appeal dwelling and the hipped design of the roof of the dwelling at No.40

the relationship between the two dwellings does not appear unduly cramped. The appeal dwelling also has particularly small front and rear gardens and is narrower than the adjacent chalet bungalow at No.40 and the dwelling opposite.

6. Whilst most of the dwellings in High Knocke have pitched roofs, the appeal dwelling and the dwelling directly opposite at 55 High Knocke (No.55), have flat roofs. Some of the chalet bungalows within the road have full width flat roofed dormers, which give the appearance of the dwellings having flat roofs.
7. The appeal dwelling comprises a modern two storey flat roofed house with first floor overhangs to the front and rear. At ground floor level the walls are constructed from buff-coloured bricks, with a combination of brick and white painted horizontal cladding at first floor level. The flat roofed dwelling opposite is similarly two storey's height although it is less articulated and has white painted rendered walls. The heights of the flat roofs of these dwellings respect the flat roofs of the wide flat roofed dormers referred to above. This helps to assimilate them into the street scene.
8. The appeal dwelling sits alongside the recessed section of the traditionally designed 'L' shaped chalet bungalow at No.40. This dwelling has a large projecting front wing on its northeastern side and the front elevation of the appeal dwelling is broadly in line with the front elevation of this projecting front wing. The appeal property abuts an area of flat, open countryside on the opposite side and to the rear of the site.
9. Together and amongst other things policies HB1 and HB8 of the Folkstone & Hythe District Council Places and Policies Local Plan 2020 (PPLP), require proposals to make a positive contribution to their location and surroundings. Extensions should respect the scale, proportions, materials, roofline and detailing of the original building and should not detract from the street scene. They should protect the living conditions of the occupiers of neighbouring properties and should not result in undue overshadowing.
10. Paragraphs 131 and 135 of the Framework advise that good design is a key aspect of sustainable development. New development should be sympathetic to local character, including the surrounding built environment and landscape setting. It should also provide a high standard of amenity for existing and future users.
11. Due to its combined height and roof design the proposed extension would appear top heavy, which would emphasise the narrow width of the dwelling and modest size of the plot. The dwelling would also be materially taller than the immediately adjacent dwelling at No.40 and its deep flank wall would project above and forward of the dwelling at No.40. For these reasons the resultant dwelling would appear cramped both on the plot and in its relationship to No.40. The proposed flat roof would be inconsistent in height with the flat roof opposite and the flat roofed dormers referred to above.
12. Overall, the proposal would unacceptably harm the character and appearance of the host dwelling and the wider street scene. This harm would outweigh the benefits for the occupants of the dwelling that would result from the proposed additional living accommodation.

13. I acknowledge that there is three story dwelling slightly further along High Knoke. However, this dwelling occupies a wide plot; its fully pitched roof slopes away from the sides of the house; and there are wider gaps between this dwelling and the neighbouring dwellings. As such it is not comparable to the appeal proposal.
14. For these reasons I conclude on the first main issue that the proposal would unacceptably harm the character and appearance of the host dwelling and the wider street scene. Accordingly, it would conflict with PPLP Policies HB1 and HB8.

Living conditions

15. Due to its combined orientation, height and forward projection the resultant dwelling would dominate and have an overbearing impact within the front garden and in the outlook from the adjacent front windows at No.40. It would also result in a material loss of sunlight within the adjacent front rooms at No.40.
16. For these reasons I conclude on the second main issue that the proposal would unacceptably harm the living conditions of the occupiers of No.40, due to its overbearing impact and loss of sunlight. Accordingly, it would conflict with PPLP Policies HB1 & HB8 and paragraph 135 of the Framework.

Conclusion

17. The conclusions on both of the main issues represent compelling reasons for dismissing this appeal, which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR