



Appeal Decision

Site visit made on 19 August 2024

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2024

Appeal Ref: APP/Z2260/D/24/3341195

204 Newington Road, Ramsgate, KENT CT12 6QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Scott Dumigan against the decision of Thanet District Council.
 - The application Ref is FH/TH/23/1591.
 - The development proposed is erection of a single storey rear extension to replace lean-to, addition of front and rear dormers, internal changes, dropped crossing to highway.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of the proposed development from the planning application form although I note this is expressed differently in other documents.

Main Issues

3. The main issues raised by this appeal are the effect of the proposed development on:-
 - a) The character and appearance of the host dwelling and the area;
 - b) The living conditions of the occupiers of No.1 Highfield Road; and
 - c) Highway safety.

Reasons

Character and appearance

4. Unlike the predominant two storey development in the area the appeal property is a bungalow. The alterations to the roof that would include four dormers, two within each roof slope, would significantly increase the size of the roof of the property.
5. The altered roof would create a dominant and top heavy appearance to the host bungalow. The roof form, with dormers, would appear as an obtrusive and discordant form of development unsympathetic to the main dwelling and out of keeping with the street scene and the surrounding built environment. The visual harm arising from the development would be clearly visible from the public realm due to the property's prominent corner location.

6. I have been provided photographs of other existing developments that include frontage roof dormers and/or front projecting roof gables, along with a rear box style roof dormer. Whilst there are examples of roof dormers in the wider area, along with other roof forms, none of the examples are directly comparable to that proposed here. Therefore, I give little weight to those examples in favour of this proposed development. This proposal can and should be considered on its own individual merits.
7. The proposal seeks to erect an increased length close boarded fence behind the existing front boundary wall in a position closer to the public highways than that of the existing fence at the property.
8. The dwellings in the area are generally characterised by low frontage boundaries with some frontages hosting vegetation. The low boundary frontages create an openness to the character and appearance of the dwelling frontages and this gives the locality a distinctiveness to its frontage appearances. This creates a sense of place that contributes positively to the appearance of the area. The fence would appear as a stark and highly visible feature out of keeping within this street scene. Consequently, it would be visually harmful. Given the site's prominent location at a highway junction, this visually intrusive feature within the street scene would be clearly visible from the public realm.
9. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the host dwelling and the area. The proposal would, therefore conflict with Policy QD02 of the Thanet Local Plan and the provisions of the National Planning Policy Framework (the Framework). That policy seeks, amongst other matters, development to be well designed and to respect and enhance the character of the area paying particular attention to context.

Living conditions

10. The rear dormer windows would create outlook from bedrooms toward the rear outdoor living space of No.1 Highfield Road and in close proximity to this private outdoor space. Overlooking from elevated outlook would take place and this would reduce the privacy the neighbouring occupiers should reasonably expect to enjoy. Therefore, such overlooking would diminish the enjoyment of this outdoor living space. As such, the proposed development would be harmful.
11. It is contended that the appeal property is, to some extent, overlooked by the occupiers of neighbouring properties. Whilst this may be so, this does not overcome my above concerns or justify the harm that would arise to existing neighbouring occupiers.
12. For this reason, I conclude that the proposed development would be harmful to the living conditions of the occupiers of No.1 Highfield Road. The proposal would, therefore conflict with Policy QD03 of the Thanet Local Plan and the provisions of the Framework. That policy seeks, amongst other matters, development not to lead to unacceptable living conditions through overlooking.

Highway safety

13. Kent County Council (KCC) Highways, although not objecting to the proposed development, seek two metre by two metre pedestrian visibility splays with no

obstructions over 0.6 metres above footway level to be provided at each access.

14. The Council accepts that the access onto Newington Road could be achieved provided part of the existing wall is removed. Nonetheless, the relocation of the fence forward of the existing garage would reduce visibility of pedestrians along Highfield Road when a vehicle exits the garage. This would not achieve the visibility required by KCC Highways. A reduction in visibility would have a detrimental impact upon pedestrian safety and, therefore, the proposal would have a negative impact upon highway safety.
15. For this reason, I conclude that the proposed development would be harmful to highway safety. The proposal would, therefore conflict with Policy QD02 of the Thanet Local Plan and the provisions of the Framework. That policy seeks, amongst other matters, development to provide safe environments.

Other Matters

16. The appellant has submitted a personal statement in support of the appeal. This includes photographs. I have had regard to the statement and information submitted by the appellant concerning the medical needs, safety and security of the occupiers and the need to provide adequate living space for all family members, which includes children. These matters hold modest weight in favour of the proposal. Notwithstanding this, whilst I sympathise with the personal needs of the appellant and family, the harms that I have identified above would be permanent and these hold significant weight. As such, harm arising from the proposed development would not be outweighed by the appellant's personal circumstances.
17. No objections to the proposal have been raised by existing neighbouring occupiers. Whilst this may be so, this does not make an unacceptable development acceptable or justify the proposed development.

Conclusion

18. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR