



Appeal Decision

Site visit made on 23 September 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2025

Appeal Ref: APP/L2250/W/25/3364333

Land adjoining 10 Links Way, Littlestone, New Romney TN28 8PS

- 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 Paul Brown against the decision of Folkestone & Hythe District Council.
 - The application Ref is 24/1516/FH.
 - The development proposed is the erection of 1 no. dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A revised version of the National Planning Policy Framework (the Framework) has been published since the planning application was determined by the Council. I have had regard to the revised Framework in reaching my decision.

Main Issues

3. The main issues raised by this appeal are the effect of the proposed development on the: -
 - a) Character and appearance of the area; and
 - b) Living conditions of future occupiers.

Reasons

Character and appearance

4. The dwelling would continue the building line of those dwellings that front onto St Nicholas Road. However, unlike those dwellings, the proposed dwelling's entrance and pedestrian/vehicular access would be to the side of the dwelling and would have the appearance of a dwelling fronting onto Links Way. As such, the proposal would not appear as a continuation of the dwellings along St Nicholas Road.
5. The character of the development in the area is mainly one of detached dwellings set within reasonably sized plots, although there are a small number of dwellings set within more constrained sites. The proposal would create a small sized bungalow with lesser rear garden when compared to that of the majority of the existing residential development in the area. Furthermore, the parking and turning area would take up a large proportion of the plot. The un-conforming nature of the

development layout with the primary elevation fronting onto Links Way, along with the constrained form of the development within the plot, would create a dwelling of uncharacteristic and cramped appearance.

6. Furthermore, the articulation of the openings within the primary elevation that faces Links Way are poorly arranged. A cycle store is proposed in front of an area of blank wall within this frontage. This would create a prominent and unattractive feature at the frontage of the dwelling. Adding to the poor appearance of the proposal would be the large area for parking and turning that would be prominently visible in public views from the adjoining highway junction.
7. Consequently, taken these matters collectively, the proposed development would have a visually cramped and poor appearance within the locality and would be visually harmful for this reason and particularly so given its corner siting adjacent to a highway junction.
8. It is suggested that the hard and soft landscaping could be approved by Local Planning Authority. However, I do not consider that imposing such a planning condition would ameliorate my above concerns sufficiently that would enable planning permission to be forthcoming.
9. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore, conflict with Policy HB1 of the Folkestone & Hythe District Places and Policies Local Plan 2020. That policy seeks, amongst other matters, developments to make a positive contribution to their location and surroundings, enhancing integration while also respecting existing building layout, scale and proportions and to respond to the character and pattern of the existing environment.

Living conditions

10. The nationally described space standards requires 10m of private amenity space that spans the full width of the dwelling. The rear outdoor amenity area would not meet this standard. This outdoor area would be the main and most useable outdoor amenity space relating to the proposed dwelling. Whilst it has been suggested that the parking area would have a dual use hosting matting for a grassed area, this would not be an area permanently available for use by future occupiers. As such, this space would not contribute to the amenity space at the site.
11. The space standards set out an appropriate minimum space standard for a dwelling of this type. The shortfall in outdoor amenity space would result in a cramped outdoor living space. As such, the lack of an appropriately sized outdoor amenity space would result in a poor standard of living environment for future occupiers.
12. My attention has been drawn to two dwellings within the immediate area that have small rear amenity spaces and plot sizes (Nos 53 and 55 St Nicholas Road). I acknowledge that those dwellings have small plot sizes. However, they are not reflective of the prevailing characteristics of the surrounding area as highlighted above.
13. For these reasons, I conclude that the proposed development would be harmful to the living conditions of future occupiers. Policy HB3 of the Folkestone & Hythe District Places and Policies Local Plan 2020 requires development to conform with

the nationally described technical housing space standards for internal and external space. The proposal would not comply with the space standards and therefore conflicts with Policy HB3.

14. My attention has been drawn to two planning application references relating to proposals where undersized gardens have been granted planning permission by the Local Planning Authority. I have not been provided any substantive information relating to those examples, therefore, I am unable to assess what similarity, if any, those examples would have to that of the case in front of me. The Local Planning Authority has advised that one example related to a replacement dwelling and was granted planning permission prior to the adoption of the current Local Plan and at a time when spaces standards were not a requirement under development plan policy. Those examples offer little weight in favour of the proposal that can and should be considered against the current development plan that is in place.

Other Matters

15. Both reasons for refusal cited on the Council's decision notice refer to Policy HB10 of the Folkestone & Hythe District Places and Policies Local Plan 2020. That policy relates to the redevelopment of residential garden land within settlement boundaries and requires proposals to respond to character and appearance. It has been advised that the site once formed part of the amenity space relating to 10 Links Way. However, it is not clear whether the land is currently garden land linked with a dwelling to which Policy HB10 could be applied. Notwithstanding this, I have found that the proposal would conflict with Policies HB1 and HB3 of the current development plan.
16. The proposal would contribute to the District's housing supply. The Council considers the site to be suitable for development when considering wider development plan policies as the site is located within the existing settlement of New Romney. This is a merit of the proposed development. However, I have found that the proposed development would have an adverse impact on the character and appearance of the area and the living conditions of future occupiers. These attract substantial weight and significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework when taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
17. I note that there is a history of planning applications at this site. Whilst this may be the case, each proposal should be considered on its own individual merits having regard to the development plan that is in place at the time. I have considered the proposal, that is now the subject of this appeal, on its own merits.

Conclusion

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

Nicola Davies

INSPECTOR