



Appeal Decision

Site visit made on 29 October 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

Appeal Ref: APP/L2250/W/25/3367906

11 Merritt Road, Greatstone, KENT TN28 8SZ

- 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 M Reynolds against the decision of Folkestone & Hythe District Council.
 - The application Ref is 25/0317/FH.
 - The development proposed is temporary change of use of annex to self-contained dwelling for a period of five years.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application form indicates that the development has already taken place and I was able to view the self-contained dwelling at the time of my visit.

Main Issue

3. The main issue raised by this appeal is the effect of the proposed development on the living conditions of occupiers.

Reasons

4. The proposal is a 1 bedroom 2-person two-storey dwelling. Policy HB3 of the Folkestone & Hythe District Places and Policies Local Plan (the Local Plan) 2020 and the Technical housing standards - nationally described space standards (the nationally described space standards) set out minimum space standards to ensure that development is not cramped internally, ensure adequate room sizes and convenient and efficient room layouts are achieved. The standards also set out requirements for outdoor space to provide for a healthy living environment. To my mind the policy and standards set out an appropriate minimum space standard for a dwelling of this type.
5. The appellant contends that the internal floor space would meet the required space standards. However, no measurements or calculations have been provided that might demonstrate this. As such, there is no clear indication before me that would point to the Council's considerations relating to the space standards being incorrect.
6. The internal floor space within the property falls below the standards required by Policy HB3 of the Local Plan and the requirements of the nationally described

space standards. The height of the living space within the second floor roof space also falls below requirements. I observed at my visit that the unit contained a combined open plan living space comprising a kitchen and lounge with separate bathroom and utility at ground floor with a bedroom above. There is limited space within the kitchen and lounge to create a dining area without compromising on internal circulation space. The ground floor living space within the accommodation is cramped. Furthermore, although the bedroom can accommodate a double bed, given the low pitch of the roof, movement is substantially restricted within this room.

7. Policy HB3 of the Local Plan requires a 10m depth of private garden as a minimum requirement for a dwelling. This reflects the requirements of the nationally described space standards. There is extremely limited space between the rear of the property and the rear boundary of the site. This would not provide a useable private outdoor space associated with the dwelling. To the front is a driveway that would be used for parking purposes. Located to the front of the property this area would not be a private outdoor space.
8. Policy HB3 of the Local Plan and the space standards set out appropriate minimum space standards for a dwelling of this type. The dwelling is of insufficient size to provide a good standard of self-contained accommodation that would meet the functional needs of its occupiers, even if occupied by two persons without a family. The shortfall in outdoor amenity space would be significant when compared against the standards. The applicant wishes to provide a home for friends who are in poor health. Whilst there may be public open space close by and the coastline not being far from the site, these public spaces may not be easily accessible to those in poor health or those with mobility difficulties. As such, the lack of an appropriately sized outdoor amenity space would result in a poor standard of living environment for occupiers, which would be of particular importance for occupiers when in poor health/mobility.
9. Reference has been made to health issues relating to the applicant and his wife with the appeal property being potentially occupied by way of an annexe by someone who could provide care. However, that is a separate matter to that of the proposal that is before me, which is for the creation of a self-contained dwelling.
10. For these reasons, I conclude that the proposed development would be harmful to the living conditions of occupiers. The proposal would, therefore, conflict with Policies HB1 and HB3 of the Local Plan, the national described space standards and the provisions of the National Planning Policy Framework. These policies and standards seek, amongst other matters, development not to have an adverse impact on the amenity of occupiers and to meet the required space standards for all developments.

Conclusion

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

Nicola Davies

INSPECTOR