



Appeal Decision

Site visit made on 27 November 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/L2250/W/25/3371058

Flat 1, 30 Grimston Gardens, Folkestone, KENT CT20 2PX

- 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 Annemieke Hartman - Jemmett against the decision of Folkestone & Hythe District Council.
 - The application Ref is 25/0831/FH.
 - The development proposed is a timber office pod in the front garden.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The planning application form indicates that the development has already taken place and I was able to view the timber office pod at the time of my visit.

Main Issues

3. The main issues raised by this appeal are the effect of the office pod on the character and appearance of the street scene and whether it would preserve or enhance the character or appearance of the Folkestone, Leas and Bayle Conservation Area (the CA).

Reasons

4. The property is set back from the highway behind a front garden. This layout is consistent and typical of the houses within Grimston Gardens that surround a central enclosed green park. This forms a distinctive part of the character and appearance of the area and contributes to the architectural and historic value and characteristics of the locality and makes the area special, and worthy of CA status and gives this area architectural significance. The appeal property falls within the CA and, therefore, forms part of its significance.
5. The proposed office pod is positioned significantly forward of the front elevation of the host dwelling and is clearly visible behind the front boundary in views from the adjacent public highway. It does not host the appearance of a temporary structure as the appellant contends. The office pod is a large structure within the front garden that is out of keeping with the prevailing undeveloped frontages of the properties within Grimston Gardens. This would represent an uncharacteristic and incongruous feature that would appear out of character in this locality. Being dark in colour this contrasts with the traditional appearance of the host dwelling and

compounds the visual prominence of the office pod within the street scene. As such, the office pod has a harmful visual impact on the street scene and wider CA. Furthermore, the office pod also serves to block views of the host dwelling, which is an attractive building in itself and thus reduces its visual contribution to the area and the CA.

6. Planting has been increased along the south and west boundaries of the site that, to some extent, screens the office pod in public views. However, such vegetation could die or be removed and this limits the weight that this vegetation can be relied upon to make an unacceptable development acceptable. Furthermore, the appellant's heritage statement advises the trees to be conifers. Such trees can grow to a significant height that could, in their own right, have a harmful visual impact upon the CA.
7. It is advised that the office pod has replaced a smaller greenhouse-type structure, a picture of which has been provided. However, that was a smaller structure to that of the office pod. I have also been directed to other developments to the fronts of properties within the area, photographs of which have also been provided. This includes that of a shed at a neighbouring property. However, those developments are not directly comparable in size, height and siting within those plots to that of this office pod proposal. Therefore, they do not justify other development in the locality where harm would arise.
8. Having considered the proposal on its own individual merits, the proposal represents an erosion to the character and appearance of the area and, as such, would undermine the purposes of the CA designation. I give the visual harm arising from the office pod significant weight.
9. Given the size and scale of the proposal in the CA, I consider there would be less than substantial harm to the character or appearance of the CA. In accordance with paragraph 215 of the National Planning Policy Framework (the Framework), I must weigh the harm against the public benefits of the proposal.
10. The proposal is of good quality design and workmanship and has been constructed using sustainable materials. Sustainable energy methods have been utilised and there is biodiversity gain from the hedges and other planting that includes a wild flower roof that has been colonised by bees. This has enhanced the pollination in local gardens and the gardens opposite. The biodiversity gain responds favourably in regard of the aims of other adopted development plan policies. There would be a reduction in the need to travel reducing carbon. The front garden is the only external space available to the appellant in which to site the office pod. This provides a viable solution for the appellant's work needs as there is limited space within the dwelling. However, these would be limited to providing mostly a personal benefit for the appellant with some modest environmental benefits. There would be no significant benefit to the public that would sufficiently outweigh the harm identified. I conclude therefore that the proposed development would fail to accord with national policy.
11. For these reasons, I conclude that the office pod would be harmful to the character and appearance of the street scene and would not preserve or enhance the character or appearance of the Folkestone, Leas and Bayle CA. The proposal would, therefore conflict with Policies HB1 and HB10 of the Folkestone and Hythe District Places and Policies Local Plan 2020 and the provisions of the Framework.

These policies seek, amongst other matters, development to make a positive contribution to its location and surroundings and to respect existing buildings. They set out the development plan context for the proposal despite there being no specific design guidelines adopted for the area or forming part of a CA appraisal.

Other Matters

12. The appellant has pointed to unlawful developments that have taken place within the CA against which the local planning authority has not instigated enforcement action to regulate. Some concerns have also been raised about the processing of the planning application with a chronology of events being provided. However, these are matters that, if necessary, should be raised with the local planning authority separate to this appeal. In any event, these matters would not lead me to alter my above findings.
13. I note that no objection has been raised by local occupiers. However, the proposal needs to be considered in terms of the wider public interest.
14. It has been highlighted that the appellant is covered by four of the protected characteristics of the Equalities Act 2010 and it is for these reasons that the structure was installed. In exercising my function on behalf of a public authority I am aware of my duties under the Public Sector Equality Duty (PSED) contained within the Equalities Act 2010.
15. In consciously thinking about the aims of the PSED I have had due regard to the appellant's specific diagnoses and associated conditions whereby the office pod would provide a safe and quiet space and have a positive impact upon wellbeing. However, I have found the office pod to be harmful to the character and appearance of the street scene and that it would not preserve or enhance the character or appearance of the CA. Dismissing this appeal may be an interference of the appellant's human rights but because of the harm that I have identified this is proportionate and necessary in the public interest. Whilst the appellant suggests discrimination has taken place during the planning application process, there is no substantive evidence before me that would clearly indicate this to be the case. However, this is a matter between the appellant and the local planning authority separate to this appeal

Conclusion

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

Nicola Davies

INSPECTOR