

# Land Rear of Imogene, New Romney

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## Planning Statement

Final Report  
**JAC/TH/35371**  
October 2025



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- **Appendix A** – Inspector's Decision Letter (ref. APP/L2250/W/25/3362571)
- **Appendix B** – Case Officer Report for Previous Application (ref. 24/1190/FH)
- **Appendix C** – Schedule of Rear Gardens Smaller Than or of Similar Shape to Proposed Garden Within 600m of the Site

# 1 INTRODUCTION

## 1.1 PURPOSE OF THIS STATEMENT

- 1.1.1 This Planning Application has been prepared by DHA Planning on behalf of the applicant, Mr. Richard Wood, to Folkestone and Hythe District Council (hereby referred to as 'the Council' or 'FHDC'), in respect of the resubmission of full planning permission following an Appeal Decision for case reference 24/1990 at land rear of Imogene, Queen's Road, Littlestone, New Romney, TN28 8LU (hereby referred to as 'the Site').
- 1.1.2 This amended proposal follows careful consideration of the appeal decision (under reference APP/L2250/W/25/3362571) by Inspector Terrence Kemmann-Lane JP DipTP FRTPI MCMl.
- 1.1.3 The description of development remains the same as under application 24/1990 which is described below:
- "Change of use from holiday let to residential dwelling including single storey side extension".*
- 1.1.4 This Planning Statement provides a detailed overview of the Site, its relevant planning history, the development proposal and the applicable Local Plan policies, the National Planning Policy Framework, and any supplementary planning documents or other material considerations.
- 1.1.5 This Planning Statement concludes that the proposed development is appropriate in planning terms. As such, it is respectfully requested that planning permission is granted.

## 1.2 APPLICATION DOCUMENTS

- 1.2.1 The application should be read in conjunction with the following documents:

| DOCUMENT REFERENCE     | DOCUMENT   |
|------------------------|--|
| APP/L2250/W/25/3362571 | Appeal Decision Notice   |
| JAC/TH/35371           | Planning Statement   |
| RD-435339              | Officer Report   |
| DS/2447/1b             | Proposed Site Layout   |
| -                      | Annotated Proposed Site Layout   |
| DS/2447/2a             | Proposed Elevations and Ground Floor Plan  |
| DS/2447/3a             | Proposed Block and Location Plan   |
| DS/2393/3a             | Existing Ground Floor Plans, First Floor Plans & Elevations  |
| DS/2447/4              | Existing Block and Location Plan   |
| -                      | Community Infrastructure Levy (Form 1): CIL Additional Information                                   |
| G-01                   | Schedule of Rear Gardens Smaller Than or of Similar Shape to Proposed Garden Within 600m of the Site |

TABLE 1-1: SUPPORTING DOCUMENTS & DRAWINGS

## 2 THE PLANNING APPLICATION SITE

### 2.1 THE SITE

- 2.1.1 The application site is located at Imogene, Station Approach, Littlestone, New Romney, Kent, TN28 8LU. This relates to a plot of land containing a two-storey dwelling previously granted planning permission as holiday accommodation facing Queens Road.



FIGURE 2-1: REDLINE BOUNDARY OF THE SITE (COURTESY OF ORDNANCE SURVEY)

- 2.1.2 The site formed part of the rear curtilage of the semi-detached dwelling known as Imogene. The plot is located on the corner of Station Approach and Queen's Road, with the dwelling facing and being accessible from Queen's Road. The site

is surrounded by residential neighbourhood to the north and east, with some residential dwellings located south, and the railway located west of the site.



FIGURE 2-2: PHOTOGRAPH OF EXISTING HOLIDAY LET

- 2.1.3 The site is located within the Romney Marsh Distinct Character Area.
- 2.1.4 The site is not located within any National Landscapes (formerly known as Areas of Outstanding Natural Beauty), Special Areas of Conservation (SAC), Special Protection Areas (SPA), Sites of Special Scientific Interest (SSSI) or any Ramsar sites. The site is located within an SSSI Impact Risk Zone and Archaeological Notification Area.
- 2.1.5 The site is wholly located within Flood Zone 1, which demonstrates that the site has a low probability of flooding from rivers and sea.

## 2.2 SURROUNDING CONTEXT OF THE SITE

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- 2.2.1 The site is located approximately 0.7 miles from the market town of New Romney, which is an approximate 3-minute drive, or an approximate 15-minute walk from the site. The site is also served by the town of Hythe, which is located approximately 9.5 miles northeast of the site, which is an approximate 21-minute drive.
- 2.2.2 The site is located approximately 0.5 miles from the A259 (approximately 2 minutes driving time), which connects the site to Rye and Hastings (westbound) and Hythe and Folkestone (eastbound).

2.2.3 With regard to public transport links, the nearest train station to the site is New Romney, which provides steam train services from Hythe to Dungeness on weekends up to five times per day. The nearest train station that provides Southeastern Railway services is Appledore, which is located approximately 7.6 miles northwest of the site (approximately 14-minute drive). Appledore Train Station has hourly services to Eastbourne and Ashford International.

2.2.4 The nearest bus stop to the site is Light Railway Station (bus stop ID: kntdagmd (adj.) & kntdagma (opp.)), which is served by a number of different bus services. These services are summarised below:

- The 11 and 103 Stagecoach South East services which connect New Romney to Lydd and Ashford, and to Lydd and Folkestone, respectively, with hourly services.
- The FGS1 Crosskeys Coaches service which connects New Romney to Lydd and Folkestone, with services running twice per day.

### 3 PLANNING HISTORY

3.1.1 According to FHDC’s online planning history database, the site has been subject to four planning applications. These are listed in the table below:

| REFERENCE      | DECISION DATE | DESCRIPTION  | DECISION                   |
|----------------|---------------|--|----------------------------|
| 24/1990/FH     | 20/09/2024    | Change of use from holiday let to residential dwelling including single storey extension   | Refused (Appeal Dismissed) |
| 24/0357/FH     | 07/05/2024    | Change of use from holiday let to residential dwelling   | Refused                    |
| 23/1377/FH/CON | 11/10/2023    | Approval of details pursuant conditions 3 (details of proposed materials) and 5 (details of enhancement of biodiversity) of planning permission 23/0925/FH | Approved                   |
| 23/0925/FH     | 04/04/2023    | Two storey detached holiday let with parking.  | Approved with Conditions   |

TABLE 3-1: PLANNING HISTORY OF THE SITE (ACCORDING TO FHDC’S ONLINE PLANNING DATABASE)

## 4 THE PROPOSED DEVELOPMENT

### 4.1 OVERVIEW

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4.1.1 The applicant for the proposed development seeks planning permission for the:

*"Change of use from holiday let to residential dwelling including single storey side extension".*

4.1.2 It is essential to note that this re-application follows very careful consideration of the Inspectors Decision Letter (DL) for appeal reference APP/L2250/W/25/3362571 (**Appendix A**).

4.1.3 At Paragraph 2 of the DL, the Inspector states the following:

*"The main issue in this case is whether the proposal would provide suitable living conditions for future occupiers, particularly in terms of external amenity space."*

4.1.4 Since the Appeal Decision, the applicant has acquired additional land from his neighbour and amended the access and parking arrangements. This is to address the conclusion of the Inspector in the DL which reads as follows;

4.1.5 Since the determination of the Appeal and issuing of the Inspector's DL, the applicant has acquired additional land from his neighbour and amended the access and parking arrangements. This is in order to address the conclusion of the Inspector in the DL which, at Paragraph 11, reads as follows:

*"In conclusion, the proposed private amenity space to serve the proposed dwelling, whilst acceptable for a holiday let, is not sufficient in shape or size to provide suitable living conditions for future occupiers with regard to this important element of permanent occupancy. The examples put forward in support of the proposal are not persuasive. For these reasons, the proposed development would be contrary to Policy HB3 of the Places and Policies Local Plan. Therefore, the appeal will be dismissed."*

### 4.2 DESCRIPTION

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4.2.1 The design of the proposed extension reflects the design of the existing building through use of matching materials and will fit the character of other dwellings in the local area.

4.2.2 The new extension ensures that the proposal meets minimum internal space standards, and it is noted that this was not a concern for the Inspector in the DL.

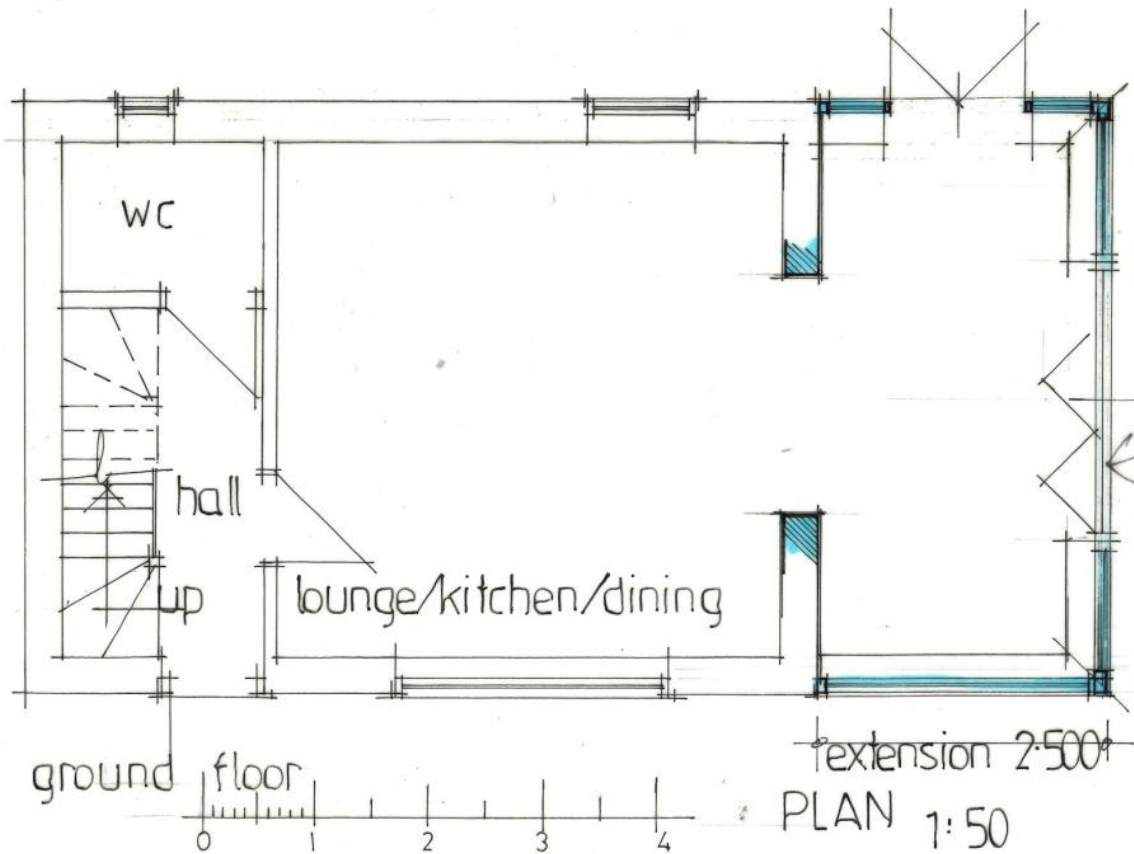


FIGURE 4-1: PROPOSED FLOORPLANS (COURTESY OF DRAWING SERVICES LTD)

4.2.3 The extension has large patio doors to both the rear elevation and side elevation and this ensures that the internal space relates well to what is effectively a wraparound garden.



FIGURE 4-2: PROPOSED ELEVATIONS (COURTESY OF DRAWING SERVICES LTD)

4.2.4 As before, the proposed development comprises a single-storey extension to the existing one-bedroomed two-storey building, with existing ramped access and flush threshold to the entrance door. UPVC windows and doors will be installed alongside the use of tiles and facing bricks to match. All external hard surfaces will be brick or block paved. The garden will be soft landscaped, and trees and shrubs planted to enhance biodiversity and offer feed to birds.

- 4.2.5 The cycle shed will be relocated to the southeast of the site to provide two off-street car parking spaces incorporating an electric car charging point. Other properties will not be overlooked or overshadowed.
- 4.2.6 The property offers accommodation suitable for first-time buyers, especially those without children or older and retired persons, who are looking to downsize.

### 4.3 APPEARANCE AND LAYOUT

- 4.3.1 The proposed development seeks to construct a single-storey extension adjacent to the west of the existing building, giving the proposed dwelling a total floorspace of 63.15sqm. The proposed dwelling also incorporates a bedroom of 15sqm, which meets the internal floor space standards as set out by Policy HB3 under the PLPP. The existing building floor space is 51.26sqm.

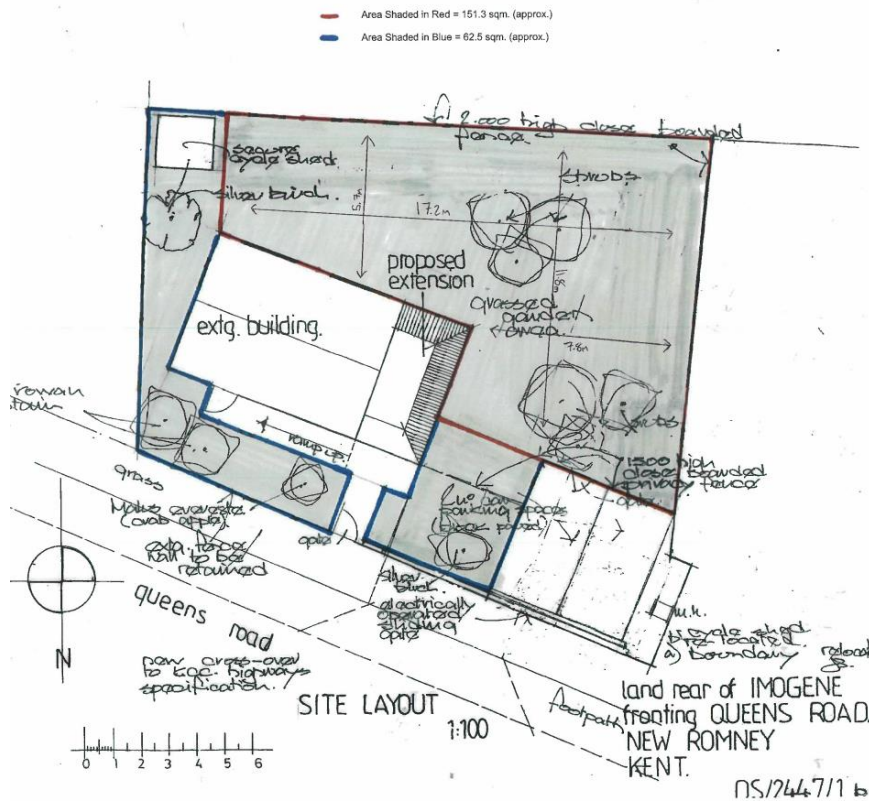


FIGURE 4-3: PROPOSED SITE LAYOUT (COURTESY OF DRAWING SERVICES LTD)

- 4.3.2 The total area of the external amenity space has now been significantly increased in size from the previously proposed 70 sqm. (approx.) to some 151.3 sqm. (approx.), which represents an increase of approximately 81.3 sqm overall. In addition, there is some 62.5 sqm. (approx.) additional private amenity space located around the northern and eastern elevations of the proposed dwelling.
- 4.3.3 The depth of the rear garden has been increased from approximately 1.48m to approximately 4.3m at the southeastern end and increased from approximately 5.19m to approximately 7.1m at the southwestern end. The side garden has been re-arranged and extended.

- 4.3.4 The parking is moved to the west with a new dropped kerb and the depth from the side patio doors has been increased to approximately 9m and the depth from the rear patio doors to approximately 7.85m. Such that the highly useable rear garden area (outlined in red in Figure 4-3) and the additional private garden area (outlined in blue in Figure 4-3), as hatched below now amounts to some 213.8 sqm. (approx.). The existing fence will be moved to the new boundary line.
- 4.3.5 The facing bricks and tiles used for the walls and roofing will match the existing development, fitting with the existing building's character.
- 4.3.6 An electric car charging point will be installed in 2no proposed block-paved parking spaces with an electrically operated sliding gate to the northwest.
- 4.3.7 The existing secure cycle shed will be relocated to the southeast of the site to maximise the amenity area. 2no rainwater butts will also be provided with over-flows to soakaways.

#### **4.4 USE AMOUNT AND SCALE**

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- 4.4.1 The proposed development would not change the use classification of the existing building when converting from a holiday let to a residential dwelling, remaining under Use Class C3(a). The scale remains as existing.

#### **4.5 LANDSCAPING & ECOLOGICAL ENHANCEMENTS**

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- 4.5.1 Within the proposed private amenity space, it is proposed that 5no. trees will be planted. Whilst it is not known the location of and the exact types of trees to be planted at this stage, it is considered that native trees, such as silver birch, rowan mountain ash and crab apple trees will be used. Shrubs will also be planted around the site and these, along with the trees and the grassed area, will be maintained.
- 4.5.2 In addition to tree and shrub planting, bird nest boxes, suitable for robin and tit nesting, will be installed and the fence will be modified to create holes at the base of the fences in order to facilitate access and passing for hedgehogs.
- 4.5.3 The final details of the proposed landscaping and ecological enhancements are still to be determined, however, should the Council be minded to grant planning permission, the applicant would welcome a suitably worded condition requesting an ecological enhancement and landscaping scheme.

## 5 PLANNING POLICY

### 5.1 OVERVIEW

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- 5.1.1 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission are required to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 5.1.2 This section sets out the relevant policies of the Local Development Framework and other relevant material considerations. For the purposes of this application, the Folkestone & Hythe Development Plan consists of:
- Core Strategy Review (March 2022)
  - Plan and Policies Local Plan (September 2020)
- 5.1.3 In addition to the Development Plan, the Government's updated National Planning Policy Framework, which was revised in December 2024, will be considered. The NPPF sets out the Government's planning policies for England and must be treated as a material consideration.

### 5.2 CORE STRATEGY REVIEW (MARCH 2022)

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- 5.2.1 The Core Strategy was adopted on 30<sup>th</sup> March 2022. It sets out the spatial vision, objectives, development strategy and a series of overarching strategic policies that will guide the scale, location and type of development in the District until 2037.
- 5.2.2 The following policies extracted from the Core Strategy are considered relevant to the proposed development:
- 5.2.3 **Policy SS1 (District Spatial Strategy)** identifies that sustainable settlements are areas where future development should be given priority. One of the sustainable settlements included is New Romney.
- 5.2.4 **Policy SS2 (Housing and the Economy Growth Strategy)** sets out that throughout the plan period, a total of 13,284 new homes will be required, at an average of 738 dwellings a year.
- 5.2.5 **Policy SS3 (Place-Shaping and Sustainable Settlements Strategy)** sets out that development within the District will be directed towards existing sustainable settlements, where proposals are of a scale that reflects the surrounding area, and that the services within the settlement would be able to accommodate.
- 5.2.6 **Policy SS5 (District Infrastructure Planning)** sets out that the Community Infrastructure Levy (CIL) is applicable to all qualifying development across the District, and a meaningful proportion of levy revenues raised in each neighbourhood will be used to deliver infrastructure within that neighbourhood.

- 5.2.7 **Policy CSD1 (Balanced Neighbourhoods)** sets out that development resulting in new housing will be allowed in line with Policy SS3 where it contributes to the creation of balanced neighbourhoods through high-quality design proposals.
- 5.2.8 **Policy CSD4 (Green Infrastructure of Natural Networks, Open Spaces and Recreation)** sets out that development proposals will require over their lifetime:
- (i) To provide net gains in biodiversity at least to comply with statutory and/or national policy requirements (assuming no residual loss);
  - (ii) To demonstrate that they protect and enhance valued landscapes, sites of biodiversity or geological value and soils, commensurate to their status and quality;
  - (iii) So far as possible, to deliver improvements in green infrastructure (GI) assets in the district and ensure positive management of areas of high landscape quality or high coastal/recreational potential identified in the Green Infrastructure Report (2011) (or any updates to this report)

### 5.3 PLACES AND POLICIES LOCAL PLAN (SEPTEMBER 2020)

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- 5.3.1 The Places and Policies Local Plan (PPLP) sets out the Council's vision for future development across the Folkestone & Hythe district. The PPLP was adopted on 16th September 2020.
- 5.3.2 The policies set out below are considered relevant to the proposed development:
- 5.3.3 **Policy HB1 (Quality Places Through Design)** states that planning permission will be granted where the proposal:
- Positively contributes to its location and surroundings, enhancing integration whilst respecting existing buildings and land uses with regard to layout, scale, proportions, massing, form, density, materiality and mix;
  - Facilitates circulation and ease of movement within the locality for all users, integrating resident and visitor parking and allowing for natural surveillance and maximising legibility;
  - Creates, enhances and integrates green infrastructure and biodiversity;
  - Does not adversely impact on the amenity of future occupiers, neighbours or the surrounding area, taking account of loss of privacy, light and poor outlook;
  - Provides a clear definition between public and private realm, incorporates high quality landscaping, boundary treatments and lighting; and
  - Complies with other relevant policies within the development plan.
- 5.3.4 **Policy HB3 (Internal and External Space Standards)** sets out that new build residential development and conversions will be permitted where the scheme:

- Meets the nationally described technical housing space standard, or subsequent updates to the standard, including minimum floor-to-ceiling heights;
- Provides an area of private open space for each new or converted dwelling as an area of private garden for the exclusive use of an individual dwelling house of at least 10m in depth and the width of the dwelling;

| NO. OF BEDROOMS | NO. OF BED SPACES | 1-STOREY DWELLINGS (SQM.) | 2-STOREY DWELLINGS (SQM.) | 3-STOREY DWELLINGS (SQM.) | BUILT-IN STORAGE (SQM.) |
|-----------------|-------------------|---------------------------|---------------------------|---------------------------|-------------------------|
| 1b              | 1p                | 39 (37)*                  | -                         | -                         | 1.0                     |
|                 | 2p                | 50                        | 58                        | -                         | 1.5                     |
| 2b              | 3p                | 61                        | 70                        | -                         | 2.0                     |
|                 | 4p                | 70                        | 79                        | -                         |                         |
| 3b              | 4p                | 74                        | 84                        | 90                        | 2.5                     |
|                 | 5p                | 86                        | 93                        | 99                        |                         |
|                 | 6p                | 95                        | 102                       | 108                       |                         |
| 4p              | 5p                | 90                        | 97                        | 103                       | 3.0                     |
|                 | 6p                | 99                        | 106                       | 112                       |                         |
|                 | 7p                | 108                       | 115                       | 121                       |                         |
|                 | 8p                | 117                       | 124                       | 130                       |                         |
| 5p              | 6p                | 103                       | 110                       | 116                       | 3.5                     |
|                 | 7p                | 112                       | 119                       | 125                       |                         |
|                 | 8p                | 121                       | 128                       | 134                       |                         |
| 6p              | 7p                | 116                       | 123                       | 129                       | 4.0                     |
|                 | 8p                | 125                       | 132                       | 138                       |                         |

TABLE 5-1: TABLE OF FHDC'S INTERNAL SPATIAL STANDARDS (EXTRACTED FROM POLCY HB3)

5.3.5 **Policy HB8 (Alterations and Extensions to Buildings)** states that alterations and extensions should reflect the original built form and should not have an adverse impact upon the residential amenity of occupants of neighbouring. Applications for extensions will be permitted where:

- The extension would not result in undue overshadowing of neighbouring properties and allows for adequate light ventilation to existing rooms;
- For side extensions, care should be taken to avoid a terracing effect which could result by extending up to the boundary – a minimum distance of one metre should be maintained from the boundary to any part of the extension above single storey level
- To maintain visual quality of the street, the width of the extension should be less than or equal to half of the original frontage; the depth of the extension should be less than or equal to half the depth of the garden; the extension should respect the building line to all streets onto which the building faces; the extension should be subordinate to the building and of

materials that complement those of the existing building; the fenestration should complement the proportions and alignment of fenestration in the existing building; and the extension should maintain the open character of the plot;

- Alterations and extensions respect the character of the host building and its location.

5.3.6 **Policy HB10 (Development of Residential Gardens)** sets out that development involving the redevelopment of residential garden land within settlement boundaries will be permitted provided that:

- The proposal responds to the character and appearance of the area, as well as the layout and pattern of the existing environment;
- The plot to be developed is of an appropriate size and shape to accommodate the proposal, taking into account the scale, layout and spacing of nearby buildings;
- Adequate access and parking are provided; and
- The proposal incorporates established trees wherever possible, and that any loss of biodiversity value is mitigated or measures to enhance biodiversity are incorporated where possible.

5.3.7 **Policy T2 (Residential Parking)** states that permission will be granted for schemes providing residential parking where the resident and visitor parking is sufficient and well-integrated so that it does not dominate the street. Applicants should also demonstrate that:

- Priority has been given to on-street parking in well-designed streets;
- There is sufficient parking for residents and visitors, with a preference for unallocated parking;
- Parking is positioned close to people's homes;
- Covered cycling facilities have been integrated into the residential parking offer; and
- A charging point for electric vehicles is provided at a ratio of 1 per dwelling as far as is reasonably practicable.

## 5.4 WIDER MATERIAL CONSIDERATIONS

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### National Planning Policy Framework (December 2024)

5.4.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. The Framework was revised in December 2024.

- 5.4.2 The following paragraphs extracted from the NPPF are considered relevant to the proposed development:

#### *Achieving Sustainable Development*

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- 5.4.3 **Paragraph 7** states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 5.4.4 **Paragraph 8** states that there are three overarching objectives to sustainable development, which are:
- To help build a strong responsive and competitive economy, and identify and coordinate provisions for infrastructure;
  - Support strong, vibrant and healthy communities; and
  - Contribute to protecting and enhancing our natural, built and historic environment
- 5.4.5 **Paragraph 11** states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

#### *Delivering a Sufficient Supply of Homes*

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- 5.4.6 **Paragraph 73** states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. To promote development of a good mix of sites, local planning authorities should:
- (d) Support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for home.
- 5.4.7 **Paragraph 78** sets out that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites.

#### *Promoting Sustainable Development*

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- 5.4.8 **Paragraph 116** states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

### *Making Effective Use of Land*

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- 5.4.9 **Paragraph 124** states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.4.10 **Paragraph 129** states that planning policies and decisions should support development that makes efficient use of land, taking into account:
- (a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
  - (b) Local market conditions and viability;
  - (c) The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use.
  - (d) The desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
  - (e) The importance of securing well-designed, attractive and healthy places

### *Achieving Well-Designed and Beautiful Places*

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- 5.4.11 **Paragraph 131** states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.4.12 **Paragraph 135** states that planning policies and decisions should ensure that developments:
- (a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - (b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - (c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
  - (d) Establish or maintain a strong sense of place, using the arrangement of streets spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - (e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space); and

- (f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

*Conserving and Enhancing the Natural*

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- 5.4.13 **Paragraph 187** states planning policies and decisions should contribute to and enhance the natural and local environment.

**Kent County Council Parking Standards (February 2025)**

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- 5.4.14 The Kent County Council (KCC) Parking Standards sets out the parking standards for new development across Kent. It considers parking for all types of vehicles and seeks to balance the need to provide an appropriate parking provision, ensure the safe operation of the public highway and encourage travel by sustainable modes. The KCC Parking Standards were adopted on 6th February 2025 and replaced Interim Guidance Note 3 (IGN3) of the Kent Design Guide.
- 5.4.15 Given that the proposed development is for a change of use to create a single one-bedroom residential dwelling, which is located in the Suburbs, the table below sets out the parking for residential development for 1- & 2-bedroom houses within the suburbs, extracted from Table 1 of the document:

| LOCATION                       | SUBURBAN                               |
|--------------------------------|--|
| On-Street Controls             | No, or very limited on-street controls |
| <b>1 &amp; 2-bedroom house</b> |  |
| Provision                      | 1 space per unit                       |
| Form                           | Allocation possible                    |
| Are Garages Acceptable?        | Additional to amount given above only  |
| Visitor Parking Provision      | On-street areas. 0.2 per unit.         |

TABLE 5-2: KCC'S PARKING STANDARDS (2025) FOR 1- & 2-BEDROOM DWELLINGS LOCATED IN SUBURBAN AREAS

## 6 PLANNING ASSESSMENT

### 6.1 INTRODUCTION

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6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

6.1.2 In determining whether the proposal accords with the development plan the following issues are considered:

- The Principle of Development,
- Design,
- Amenity of Future Occupants,
- External Amenity of future occupants,
- Residential Amenity of Neighbouring Occupants,
- Visual Impact,
- Parking,
- Biodiversity.
- Archaeology and SSSI,

6.1.3 It is of course important to also consider the conclusions of the previous Inspector in order to assess whether and how the proposal has overcome the earlier concerns.

6.1.4 In this respect we note that Paragraphs 6 and 7 of the DL read as follows;

*Due to the shape and size of the site, the proposal cannot provide 10m of amenity space directly to the rear of the property. The maximum depth of the amenity space would reach 10m, but this would only be at one point and when measured from the rear of the parking spaces, not the rear elevation of the dwelling. When measured from the rear of the dwelling, the maximum depth of the external amenity space would only reach about 5.19m dropping to 1.48m at its shortest, well below the policy requirement.*

*I note that recent appeal decisions (APP/L2250/W/23/3331658 & APP/L2250/W/23/3331394) dealt with a similar issue, and concluded that the proposal would have a harmful effect on the living conditions of future occupiers with particular regard to private external amenity space, in conflict with Policy HB3. It appears, and as far as I could see, gardens of this size and awkward shape are not characteristic in the local area.*

## 6.2 PRINCIPLE OF DEVELOPMENT

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- 6.2.1 Policy SS1 of the Core Strategy Review identifies the sustainable settlements, which includes New Romney, are where future development should be given priority.
- 6.2.2 In addition, Policy SS3 sets out that development within the District will be directed towards existing sustainable settlements where proposals are of a scale that reflects the surrounding area and that the services within the settlement would be able to accommodate.
- 6.2.3 Within the Officer's Report (**Appendix B**), the Case Officer and indeed within the Inspectors DL it is confirmed that the development is, in principle, acceptable. The application site lies within a sustainable location, with clear links to the town centre.
- 6.2.4 Additionally, the development is supported by Policies SS1 and SS3 of the Core Strategy which sets out that development should be focused within the most sustainable towns and villages, which includes New Romney. As such, the Principle of Development is considered wholly acceptable.

## 6.3 DESIGN

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- 6.3.1 Policy HB1 of the PPLP sets out the design criteria that all proposed development must meet. Policy HB8 of the PPLP sets out that alterations and extensions should reflect the original built form and should not have an adverse impact upon the residential amenity of occupants of neighbouring properties.
- 6.3.2 The side extension would take the form of a single storey extension to the main living room as a living/garden room with a brick plinth, glazing to all side elevations and a tiled mansard roof. It is of note that both the side and rear elevation of the extension will have large patio doors linking the dwelling to the amenity space as well as windows on all elevations providing excellent connection to the outside amenity area.
- 6.3.3 The Officer's Report concludes that the materials of the single storey side extension would be consistent with the existing building and, despite utilising a different roof form, it is considered to sit comfortably alongside the main building.
- 6.3.4 As such, the proposed design reflects the character and appearance of the building and would be an acceptable addition that is consistent with Policies HB1 and HB8 of the PPLP. From a design standpoint, the proposed development is therefore wholly acceptable. We note that neither Officers nor the Inspector raised such issues as a concern.

## 6.4 INTERNAL AMENITY OF FUTURE OCCUPANTS

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- 6.4.1 Policy HB3 of the PPLP sets out that new build residential development and conversions will be permitted where the scheme meets nationally described technical housing space standard, or subsequent updates to the standard, including minimum floor-to-ceiling heights.

- 6.4.2 The proposed dwelling would have a total floor space of 63.15 sqm. Policy HB3 states that dwellings should be built in accordance with the nationally described internal spatial standards. For a one bedroom two-storey dwelling, it should have an internal floorspace of 58 sqm. and a bedroom floorspace of 11.5 sqm., with a width of 2.75 metres.
- 6.4.3 As such, regarding internal spatial standards, the proposed development is in accordance with the nationally described spatial standards and Policy HB3 of the PPLP.

## 6.5 EXTERNAL AMENITY OF FUTURE OCCUPANTS

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- 6.5.1 Policy HB3 of the PPLP sets out that new build residential development and conversions will be permitted where the scheme provides an area of private open space for each new or converted dwelling as an area of private garden for the exclusive use of an individual dwelling house of at least 10 metres in depth and for the width of the dwelling.
- 6.5.2 Policy HB10 of the PPLP sets out that development involving the redevelopment of residential garden land within settlement boundaries will be permitted providing that the proposal responds to the character and appearance of the area, the plot to be developed is of an appropriate size and shape to accommodate the proposal, taking into account the scale, layout and spacing of nearby buildings, adequate access and parking are provided; and the proposal incorporates trees wherever possible and that any loss of biodiversity is adequately mitigated/enhanced wherever possible.
- 6.5.3 It is acknowledged that this was one of the two concerns of the Inspector.
- 6.5.4 In order to address the concern in respect of amenity space, the Applicant has acquired additional garden area from the nearest neighbour to the west. As set out previously, this now ensures that the dwelling has a useable rear garden area (as shown in Figure 4-3) of some 156 sqm. It is important to note that this garden area is larger by a multiple of two of one of the adjoining gardens and provides a depth of some 7.8 metres from patio doors to the rear boundary and some 9 metres from the side patio doors, with a maximum garden depth of 11 metres.
- 6.5.5 In addition, the proposed extension will feature windows at every elevation and contain two sets of patio doors, therefore allowing for panoramic views into the garden and allowing for additional natural light into the property.
- 6.5.6 We note that the Inspector makes reference to a required garden depth of 10m. While that is a standard generally applied across Kent, it must surely be the case that common sense needs to be applied in respect of the size and utility of the garden. This is a garden area for a one-bedroom property. In our very considerable experience of cases for such units it is extremely rare for them to have gardens at all (normally balconies) with gardens perhaps 50 sqm. This rear garden area is over 150 sqm and bearing in mind occupiers are highly likely to be single people or young couples without children, or as is currently intended a retired couple, there is no need to have a garden of such scale.
- 6.5.7 Using the standard requirement of a garden of the width of the dwelling multiplied by a depth of 10m, the original dwelling would only require a garden area of

around 70 sqm. and the extended dwelling approximately 95 sqm. As the annotated site layout plan demonstrates, the shape of the rear garden is clearly usable. With the increased plot size there is now good separation of habitable room windows from the boundaries, and the rear garden is well-above the required size.

- 6.5.8 The argument becomes even more favourable when it is considered that many modern houses will have a plot width of between 5-7m. The simple reality therefore is that this garden is between 80-100 sqm. larger than many modern gardens that are designed with two to three bedrooms and are for families with children.
- 6.5.9 In all of the above circumstances it is concluded that with the amended garden size the proposed garden is more than adequate for the dwelling, especially bearing in mind it is a one-bedroom unit, and clearly meets the spirit of the policy.

## 6.6 RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPANTS

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- 6.6.1 Paragraph 135 states that planning policies and decisions should ensure that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a standard of amenity for existing and future users.
- 6.6.2 Policy HB1 of the PPLP is clear that development should not result in an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook.
- 6.6.3 The side extension would introduce new fenestration that would face towards the rear elevation of Imogene to the west, the rear curtilage of Swallows to the south, and to the north. Given that the proposed extension is only single storey, and that the fencing surrounding the property is 1.8m high, it is not considered to result in demonstrable harm to the residential amenity of the neighbouring occupants of Imogene and Swallows. Furthermore, there is sufficient separation distance across the highway to ensure that there would be a significant increase in inter-looking to and from the site.
- 6.6.4 As such, it is not considered that the proposed side extension will result in any adverse impacts upon the residential amenity of neighbouring occupants and that the proposed development is entirely in accordance with Paragraph 135 of the NPPF and Policy HB1 of the PPLP.

## 6.7 VISUAL IMPACT AND IMPACT ON THE CHARACTER AND APPEARANCE OF THE LOCALITY

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- 6.7.1 It is noted that in paragraph 7 the Inspector makes reference to the following;
- "I note that the garden faces south, but that does not make up for lack of size and suitable shape."*
- 6.7.2 It is considered that this is a rather odd and somewhat irrational comment as the dwelling and garden are already in situ and have been approved by the District

Council. The very simple reality is that the previously approved holiday let and garden were approved and are now a legitimate part of the character and appearance of the locality.

- 6.7.3 If the concern was that the size was less than was normally the case for dwellings, that is also somewhat odd in that the site is fenced and as stated already a consented part of local character. Passers-by would have no perception of the garden to the rear of the dwelling and therefore it is difficult to comprehend an assertion that there was somehow an impact on character. This is especially the case bearing in mind that the existing situation is approved. We have to ask how the occupancy impacts upon visual impact. In short, the logic is very flawed.
- 6.7.4 All that having been said, the garden is now considerably extended in size such that it is comparable in size to others locally. In addition, **Appendix C** provides a map of rear gardens within 600 metres of the site, demonstrating that there are an array (non-exhaustive) of examples where there are dwellings with rear gardens that are either of similar shape or smaller in size than the proposed garden. Given the plethora of similarly-sized rear gardens, we consider that the size and shape of the proposed garden would not at all be unsuitable or uncharacteristic. We reiterate that the existing situation is permitted and lawful.
- 6.7.5 Given that the proposed development would include the construction of privacy fencing and utilise vegetation to provide additional cover, there is no basis to conclude that the changes would be a source of negative visual impact.

## 6.8 PARKING

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- 6.8.1 Policy T2 of the PPLP sets out that, at the site's location, one car parking space should be provided. This is also required from the KCC Parking Standards (February 2025). The proposed site layout makes provision for two parking spaces, which is double the provision required under Policy T2 and the KCC Parking Standards. As such, the provision of vehicle parking is acceptable.
- 6.8.2 Both Policy T5 of the PPLP and the KCC Parking Standards set out that cycle parking is required at a ratio of one bicycle per bedroom. Policy T5 sets out that provision of adequate bin storage is also required. The proposed site layout sets out that a bike store will be located at the west of the site.
- 6.8.3 The proposed site layout does not show the provision of any bin storage, and the final details are still to be determined. However, should the Council be minded to grant planning permission, the applicant would welcome a suitably worded condition requesting additional information be submitted regarding bin and cycle storage, albeit we note that the existing use will already generate refuse, such that any impacts are marginal and negligible.
- 6.8.4 With a more than adequate provision of vehicle parking, and a bikes store to the west of the site, it is considered that from a parking standpoint, the development is wholly acceptable.

## 6.9 BIODIVERSITY NET GAIN

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- 6.9.1 Biodiversity Net Gain (BNG) is required in all development (unless exemptions apply) after statutory framework was introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) from 4<sup>th</sup> February 2024. It requires development to deliver a minimum increase of 10% in biodiversity value.
- 6.9.2 The Biodiversity Gain Requirements (Exemptions) Regulations 2024 states that the 'de minimis' exemption applies to development if the following two conditions are met:
- "The development must not impact upon any onsite priority habitat; and
  - If there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5 metre by 5 metre square of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as hedgerow)".
- 6.9.3 The proposed extension will result in a small extension at the west of the building, however this extension comprises a footprint of approximately 13.2 sqm. which is lower than the 25 sqm. threshold. In addition, the area on which the extension was created did not comprise grassland but instead decorative stones. As such, the proposed extension did not affect any onsite habitat and therefore confirms that the 'de minimis' BNG exemption would be applicable to the proposed development.
- 6.9.4 In any event, the proposed development seeks to significantly increase the onsite biodiversity value through laying grass, planting trees and shrubs, installation of bird nest boxes and amending the fences to allow for safe hedgehog movements. The final details of the proposed landscaping and ecological enhancements are still to be determined, however, should the Council be minded to grant planning permission, the applicant would welcome a suitably worded condition requesting an ecological enhancement and landscaping scheme.

## 6.10 ARCHAEOLOGY AND SSSI

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- 6.10.1 The Case Officer sets out that the site is located within an Archaeological Notification Area and SSSI Impact Risk Zone. However, due to the minor scale of the development, mitigation measures are not required, which confirms from an Archaeological and SSSI standpoint, the development is wholly acceptable.

## 7 SUMMARY, PLANNING BALANCE, CONCLUSION AND FORMAL REQUEST.

### 7.1 SUMMARY

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- 7.1.1 This planning statement has been submitted in support of an amended proposal to that previously dismissed at appeal under reference APP/L2250/W/25/3362571.
- 7.1.2 In seeking to address that decision, the applicant has acquired considerable additional garden area to ensure that more than adequate amenity space is provided to ensure a more than adequate level of amenity.
- 7.1.3 In respect of the character of the area, the garden and dwelling already exist. This proposal increases the size albeit the general shape is maintained. It is clear that at present passers-by would have no true perception of the garden area and would not be aware of the shape when viewing from public vantage points. We maintain that the Inspectors comments and conclusions in respect of the character of the area are irrational. This is especially the case bearing in mind that the current situation is approved and it 'is what it is'.
- 7.1.4 With the increased garden area we conclude as follows;
- (1) The proposal is located in New Romney, which is sustainably located and where development is encouraged by Policies SS1 and SS3.
  - (2) The proposal makes optimal use of an existing developed site to deliver a high-quality dwelling.
  - (3) The proposal would not cause significant harm to the amenity of neighbouring properties.
  - (4) The proposal would secure a more than adequate standard of accommodation for occupants to enjoy a high quality of life and a wholly sufficient area of rear amenity space. The amenity space would be suitable for family living let alone a 1-bedroom property to be occupied by a retired couple.
  - (5) The proposal benefits from a wraparound garden of substantial size, with south-facing aspect, allowing the garden to receive more sunlight and creates further opportunities for biodiversity. For a one-bedroom unit, the amenity is of exceptional size and layout.
  - (6) The proposal is demonstrated to be acceptable in terms of design, residential amenity, archaeology and SSSI Impact Risk Zone.
  - (7) The proposal will provide economic benefits during construction through local employment and the contribution to the local economy and social activity by future occupiers.
  - (8) The dwelling and garden exist and are lawful but it is the case the extent of the garden is not perceptible from public vantage points.

Notwithstanding this fact, it is clear that there are many examples locally of somewhat similarly disposed garden areas. Any argument that the garden is somewhat out of character is considered both irrational, on the basis that it already is what it is, and without proper evidential base.

## 7.2 PLANNING BALANCE

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7.2.1 In line with Paragraph 11(d) of the NPPF, the presumption in favour of sustainable development and tilted balance applies, which tilts the balance in favour of granting permission unless any policies within the Development Plan and NPPF which protect designated assets or areas provide a clear reason for permission being refused, or unless any adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Development Plan and Framework taken as a whole.

7.2.2 Here, for the reasons explained below, the proposal complies with the development plan:

- The development comprises the change of use to provide one dwelling, located in a residential neighbourhood within New Romney, with a good range of facilities, services and transport links. It would not see the development of any greenfield site and in view of the increased garden size, further evidence and examples of local layout, and the fact that the property and smaller garden are already in situ, the proposal cannot be considered to present inappropriate form.
- The extension of the existing building would utilise a design and materials that are in keeping with the existing building and would not adversely impact the character and appearance of the building, nor any of the surrounding dwellings within the neighbourhood. Furthermore, the additional fenestrations to the building as a result of the extension would not result in demonstrable harm to the residential amenity of neighbouring occupants due to the separation distance and 1.8m fencing surrounding the property.
- The proposed development will have no unacceptable highway impacts, and the parking provision of the proposed development is double that of what is required and therefore wholly acceptable. There is clearly sufficient space within the site for provision of bike and bin storage, although should planning permission be granted, the applicant would be prepared to accept a condition relating to the details of bike and bin storage, if considered necessary.
- It is acknowledged that the rear development does not provide a rear garden of 10 metres in depth across the entire width of the property. However, the proposed development would provide approximately 151 sqm. of usable rear and side garden space with patio door connections to the garden space. The garden area is considerably larger than policy or guidance would normally consider the minimum size by at least 40%. In conclusion the extended garden area is clearly wholly sufficient in area to accommodate a one-bedroom dwelling.

- This proposal is considered to comply with all other relevant planning policies in the Development Plan and NPPF. It will also provide benefit to Folkestone and Hythe by delivering an additional dwelling via a sustainable form of development, in a location with a good range of public services. Therefore, the presumption in favour of sustainable development applies and tilts the balance in favour of granting development as benefits significantly outweigh any perceived adverse impacts of the development.

7.2.3 Given the above, it is respectfully requested that the application is permitted.

### 7.3 CONCLUSION

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7.3.1 This Planning Statement has been prepared on behalf of Mr. Richard Wood by DHA Planning in respect of an application for:

*"Change of use of holiday let to residential dwelling with single storey side extension".*

7.3.2 The proposed development is considered to accord with the relevant planning policies, and there are no material considerations that justify the refusal of planning permission, or that outweigh the benefits of the development.

7.3.3 The overall principle of the proposal is considered acceptable. As such, it is respectfully requested that planning permission be granted without delay.

APPENDIX

A





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## Appeal Decision

Site visit made on 24 June 2025

**By Terrence Kemmann-Lane JP DipTP FRTPI MCMI**

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

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**Appeal Ref: APP/L2250/W/25/3362571**

**Land rear of Imogene, Station Approach, Littlestone, New Romney, TN28 8LU**

- 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 Richard Wood against the decision of Folkestone and Hythe District Council.
  - The application Ref is 24/1190/FH.
  - The development proposed is change of use from holiday let to residential dwelling including single storey side extension.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in this case is whether the proposal would provide suitable living conditions for future occupiers, particularly in terms of external amenity space.

### Reasons

3. The appeal site is a plot of land approximately 0.02 hectares in size formed from part of the rear curtilage of the semi-detached house known as Imogene. Imogene is located on a corner plot with the dwelling facing Station Approach, while the holiday accommodation faces Queens Road. The holiday accommodation consists of a two-storey building with front facing dormers at first floor level and an area of amenity space to the rear and side of the building. The right hand part of the frontage and part of the side garden is used as parking. The site is surrounded by a residential neighbourhood to the north and east, with some residential dwellings located to the south, and the railway located west of the site.
4. The appeal proposal is for a change of use of the holiday let to a dwellinghouse for permanent residential use, along with the construction of a single storey side extension to create a garden room. The proposed site layout includes the provision of two parking spaces, an area of amenity space behind the parking spaces and at the rear, and a cycle store. Core Strategy policies SS1 and SS3 require proposals for new residential development to be focused within the most sustainable towns and villages. The site sits within the settlement boundary of New Romney. In policy SS1 New Romney is identified as being an area where future development should be given priority.
5. Under Policy HB3 of the Places and Policies Local Plan, new dwellings must meet the nationally described internal space standards. The proposal would meet these standards. In addition to the internal space standards, HB3 also sets out external

- space standards for dwellings. This should consist of a private amenity space at least 10m in depth with a width equal to that of the dwelling; variations to these standards will only be considered where such an approach is needed to reflect the character of the area.
6. Due to the shape and size of the site, the proposal cannot provide 10m of amenity space directly to the rear of the property. The maximum depth of the amenity space would reach 10m, but this would only be at one point and when measured from the rear of the parking spaces, not the rear elevation of the dwelling. When measured from the rear of the dwelling, the maximum depth of the external amenity space would only reach about 5.19m dropping to 1.48m at its shortest, well below the policy requirement.
  7. I note that recent appeal decisions (APP/L2250/W/23/3331658 & APP/L2250/W/23/3331394) dealt with a similar issue, and concluded that the proposal would have a harmful effect on the living conditions of future occupiers with particular regard to private external amenity space, in conflict with Policy HB3. It appears, and as far as I could see, gardens of this size and awkward shape are not characteristic in the local area.
  8. The appellant considers that the proposed area of rear garden would be more than sufficient for a one-bedroom dwelling and that occupiers would enjoy a wholly acceptable level of amenity. The total area of the rear garden would be approximately 70m<sup>2</sup>. An area of 70m<sup>2</sup> may be adequate where the garden is at the rear of the house and of a regular shape, but in this case much of the area at the rear is squeezed down to the eastern end, so that it does not provide the level of amenity that Policy HB3 reasonably seeks. I note that the garden faces south, but that does not make up for lack of size and suitable shape.
  9. The appellant refers to a recent grant of permission for residential development by the council (ref. 23/0769/FH), some 400m away, stating that a quarter of the dwellings in that scheme feature rear gardens smaller in size than in the proposed development, whilst those dwellings are larger and far more likely to accommodate families. Additionally, Plots 1, 50 and 75 of that scheme all featuring rear gardens which wrap around the dwelling in a similar manner to that of the proposed development.
  10. From the information given, I am unable to verify the size of gardens in the scheme referred to, but it is clear to me that the 3 plots picked out have gardens of a suitable shape to provide reasonable amenity. The appellant also refers to an appeal decision (ref. APP/L2250/W/24/3347607) which included a 2 bedroom house with a rear garden of approximately 50m<sup>2</sup> that was allowed. However, I see that the Inspector in that case specifically referred to the 'useable shape' of the rear garden, which differentiates it from the present case.
  11. In conclusion, the proposed private amenity space to serve the proposed dwelling, whilst acceptable for a holiday let, is not sufficient in shape or size to provide suitable living conditions for future occupiers with regard to this important element of permanent occupancy. The examples put forward in support of the proposal are not persuasive. For these reasons, the proposed development would be contrary to Policy HB3 of the Places and Policies Local Plan. Therefore the appeal will be dismissed.

*Terrence Kemmann-Lane*

INSPECTOR

APPENDIX

B



## Officer Report

|                 |   |
|-----------------|---|
| Application No. | 24/1190/FH  |
| Site Address    | 2 LAND REAR OF IMOGENE, STATION APPROACH, LITTLESTONE, NEW ROMNEY, TN28 8LU                   |
| Officer Name    | Lizzy Nash  |
| Proposal        | Change of use from holiday let to residential dwelling including single storey side extension |

## Recommendation

|                      |                           |
|----------------------|---------------------------|
| Report Number        | RD-435339                 |
| Recommended Decision | Recommended to be Refused |
| Recommendation Date  | 05 September 2024         |

## Report

### Site

The proposal site formed part of the rear curtilage of the semi-detached dwelling known as Imogene. It was located on a corner plot with the main dwelling facing Station Approach while the holiday accommodation faces Queens Road. This accommodation consists of a two-storey building with front facing dormers at first floor level and a small area of amenity space to the side of the building currently used as parking. The building is not complete with the side elevation currently open to the elements and would not currently be considered habitable. The site sits within an SSSI Impact Risk Zone and Archaeological Notification Area.

### Site History

24/0357/FH – Change of use from holiday let to residential dwelling – Refused

This proposal was refused due to the proposed building and site not meeting the internal or external space standards for a two storey one bedroom dwelling. The current proposal aims overcome this refusal reason by including a single storey side extension to increase the internal space and re-locate the parking further forward within the site to give an increased external amenity space. The refusal reason reads as follows:

“The proposed conversion by virtue of the constrained nature of the site, the proposed internal floor space of 51.26sqm and the depth of the lack of adequate private amenity space, would result in an undersized dwelling that would lead to harm to the residential amenity of the future occupants. The proposed dwelling would therefore fail to meet the space standards, demonstrate that it would provide a suitable level of accommodation for future occupiers of the proposed dwelling. The proposal is therefore contrary to policies HB1 and HB3 of the Places and Policies Local Plan.”

23/1377/FH/CON – Approval of details pursuant to condition 3 (details of proposed materials) & 5 (details of enhancement of biodiversity) of planning permission 23/0925/FH – Approved

23/0925/FH – Two storey detached holiday let with parking – Approved with Conditions

23/0543/PREAPP – One bedroom dwelling for use as holiday let – Advice given

SH/75/64 – Erection of a kitchen extension and covered way – Approved with Conditions

WE/2/63/41 – Proposed erection of a garage – Approved

WE/2/61/49 – proposed pair of s/d bungalows – Approved

#### Proposal

The proposal seeks permission for a change of use of currently under construction holiday let to a dwellinghouse for permanent residential use, along with the construction of a single storey side extension to create a garden room. The dwelling would have an open planned living room/kitchen at ground floor level and a bedroom and shower room at first floor level. The proposed site layout includes the provision of two parking spaces, an area of amenity space behind the parking spaces and a cycle store.

#### Consultation Responses

Consultation responses are available in full on the planning file.

New Romney Town Council – No Comment

#### Representations

Three neighbour representations have been received. Two objecting to the proposal and one commenting. They are available in full on the file but have been summarised below:

##### Objection:

- Occupant lives in a caravan on site
- Inconsiderate parking on grass verge
- Parking issues
- Keeping of caravan site is too small
- Should have applied for a dwelling to begin with
- Development is out of keeping
- Building has not been completed
- Caravan should be removed

##### Neither:

- Concerned that one window facing 27a Queens Road is not obscured would result in a loss of privacy
- Consent not originally given for a dwelling
- Very large fence surrounding building causes an obstruction
- The way the property has been built is not appropriate

#### Publicity

Neighbours Notified by letter. Expiry 26/08/2024

#### Relevant Policies

NPPF and NOOG

Paragraph 131, 127

Core Strategy  
SS1, SS5 and CSD1

Places and Policies Local Plan (PPLP):  
HB1, HB3, HB8, HB10 and T2

Appraisal  
Principle

Under Core strategy policies SS1 and SS3 proposals for new residential development should be focused within the most sustainable towns and villages. The site sits within the settlement boundary of New Romney but outside of the town centre. Within SS1 New Romney is identified as being an area where future development should be given priority. Furthermore, SS3 supports development within sustainable settlements such as New Romney where proposals are proportionate to the level of service a settlement can support and at a scale reflective of the surrounding area.

The proposal is for a single dwelling within what was once the residential curtilage of an existing dwelling. The site can be accessed via Queens Road and has clear links with the town centre. Therefore, the location is considered to be sustainable, and the addition of a dwelling would be acceptable in principle.

Design and Visual Appearance

The proposal includes the erection of a side extension to increase the internal floor space of the proposed dwelling. The extension would take the form of a single storey garden room with a brick plinth, glazing to all side elevations and a tiled mansard roof. The proposal would utilise materials consistent with the existing building and although utilising a different roof form given its proportionate scale and appropriate siting it is considered to sit comfortably alongside the main building. Therefore, the proposal is considered to reflect the character and appearance of the building and would be an acceptable addition that is consistent with HB1 and HB8.

Amenity of future occupants

Under HB3 new dwellings must meet the nationally described internal space standards. For a single bedroomed two storey dwelling it should have an internal floor space of 58sqm and a bedroom floor space of at least 11.5sqm with a width of 2.75m. With the proposed side extension, the proposal would have a total floor space of 63.15sqm with a bedroom of 15sqm. Therefore, the proposal would meet the internal space standards as set out under HB3 of the PPLP.

In addition to the internal space standards HB3 also sets out external space standards for dwellings. This should consist of a private amenity space of at least 10m in depth with a width equal to that of the dwelling variations to the external space standards will only be considered where it is demonstrated that such an approach is needed to reflect the character of the area. Due to the shape and overall plot size the proposal would not be capable of providing 10m of amenity space directly to the rear of the property. From the site layout plan submitted the maximum depth of the amenity space would reach 10m however this is only in one space and is measured from the rear of the parking spaces not the rear elevation of the proposed dwelling. When measured from the rear of the proposed dwelling the maximum depth of the proposed external amenity space would reach approximately 5.19m dropping to 1.48m at its shortest. The proposal would result in an undersized external amenity space.

The Council had a recent appeal decision APP/L2250/W/23/3331658 & APP/L2250/W/23/3331394 which concerned application 22/2185/FH which had a similar issue. The Inspector on that appeal commented as follows:

*'The proposed garden space would fall below the 10m depth required by Policy HB3. It would be a very small and highly confined area for future occupants, even if occupied by a sole individual. Private gardens of such modest depth are not characteristic of Cliff Road, and so Policy HB3 provides no discretion to divert from the 10m requirement in this case.'* (Paragraph 19).

*'Whilst I recognise that the public sea front close by could be utilised by the dwelling's occupiers for some recreational purposes, that is not a substitute to the provision of adequate private garden space.'* (Paragraph 20).

*'In conclusion, the proposal would have a harmful effect on the living conditions of future occupiers with particular regard to private external amenity space, in conflict with PLP Policy HB3. Amongst others, this policy requires new dwellings to be provided with a private garden space of at least 10m in depth.'* (Paragraph 21).

It is considered that gardens of comparable size and shape are not characteristic in the local area. While there maybe public amenity space in the area, it is not considered that these are substitute for amenity space as the appeal decision set out above states. There is not considered to be any justification to deviate from policy HB3 in this respect and as such it is recommended that the application be refused on these grounds.

#### Residential amenity of neighbouring occupants

Considering first the erection of a side extension, it would be located on the western side elevation of the existing building. It would introduce additional fenestrations to all elevations that would face towards the rear elevation of Imogene to the west and the rear curtilage of Swallows to the south. The fenestrations would also face towards the north; however, dwellings here have a sufficient separation distance across the highway to not result in a significant increase in inter-looking from the proposal. Similarly, the extension would have a single storey and given the 1.8m fencing surrounding the proposal site the proposed extension is not considered to result in significant harm to the residential amenity of the neighbouring occupants of Imogene and Swallows. No other alterations are proposed.

The proposed change of use would result in a significant intensification in the sites use leading to a possible increase in noise and disturbance to neighbouring properties. However, given that the use of the site was originally granted for a holiday let it is not considered that this increase would be significant enough to warrant a refusal on this basis.

In light of the above the proposal is not considered to result in significant harm to the residential amenity of neighbouring occupants and would therefore be consistent with PPLP HB1 and HB8.

#### Parking

Under T2 for a dwelling in this location a total of one parking space should be provided. The site layout suggests a total of two parking spaces would be provided double that required under T2, therefore the proposal is considered acceptable. Cycle parking is also required under T5 on the basis of one bicycle parking space per bedroom and adequate bin storage. The proposal sets out that there would be a bike store to the west of the site however no bin store appears to be provided, a condition requiring the submission of bin and bike store details is therefore appropriate.

#### Archaeology and SSSI

The site is within both an Archaeological Notification Area and SSSI Impact Risk Zone, however due to the minor scale of the development mitigation measures are not required.

#### Human Rights

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

#### Public Sector Equality Duty

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

#### Duty to Cooperate

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service and, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance the application was considered to be acceptable as submitted.

#### Recommendation

Considering the above, it is considered that the proposal should be refused planning permission for the reasons set out above.

#### **Recommended Refusal Reasons (1)**

1

The proposed development, by virtue of its position and cramped, restrictive plot size, would provide insufficient private external amenity space to serve the proposed dwelling, resulting in an unacceptable level of amenity for future occupants of the property, contrary to policy HB3 of the Places and Policies Local

Plan 2020, which requires a minimum garden depth of 10 metres for new dwellings.

**Suggested Informatives (1)**

1

This decision is based on the following plans and details:

Ds/2447/2 Proposed Elevations & ground floor plan

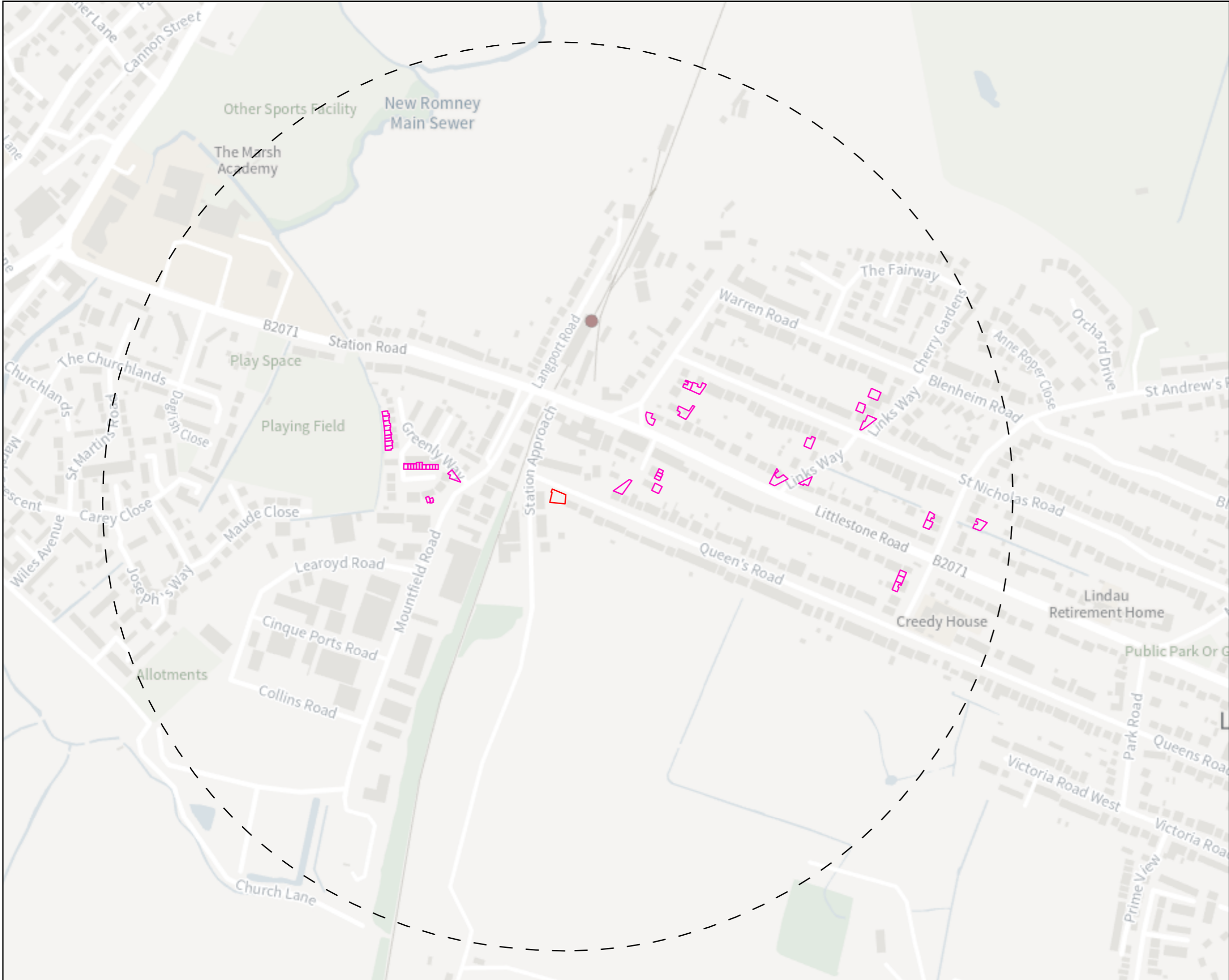
Ds/2447/1 Proposed site layout

Ds/2447/3 Proposed Block Plan & Location Plan

APPENDIX

C





**Key**

- Site Boundary
- Rear Garden Smaller Than or of Similar Shape to Proposed Garden
- 600m Buffer from Site

TITLE  
**Schedule of Rear Gardens Smaller Than or of Similar Shape to Proposed Garden Within 600m of the Site**

CLIENT  
**Wood, Mr Richard**

PROJECT  
**Land to the Rear of Imogene, New Romney (Resubmission)**

|             |                 |              |             |
|-------------|-----------------|--------------|-------------|
| SCALE AT A3 | DATE            | JOB NO.      | DRWG NO.    |
| 1:5,000     | <b>Oct 2025</b> | <b>35371</b> | <b>G-01</b> |

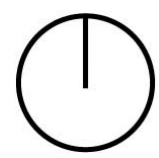


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