

Officer Report

Application No.	25/1924/FH
Site Address	83 KINGFISHER AVENUE, HYTHE, CT21 6QT
Officer Name	Katy Claw
Proposal	Erection of a two storey rear extension with the addition of a ground floor window in East elevation.

Recommendation

Report Number	RD-439156
Recommended Decision	Recommended to be Refused
Recommendation Date	14 January 2026

Report

SITE

The application site forms a two-storey semi-detached property on the southern side of Kingfisher Avenue. The property is gable-ended and constructed of brown multi-stock brickwork. It has been previously extended at the ground floor rear with flat-roofed extensions as well as a pitched roof first floor extension to the eastern side of the rear elevation. Parking provision for at least one vehicle is available at the front.

The houses here appear to have been constructed in the 1960s and the application site forms part of a larger housing estate which extends to several linked roads and cul-de-sacs. To the rear of the application site is Herons Way. The site is separated from the highway by a 1.8m high close-boarded fence and so the ground floor and garden are obscured from public view but the upper floor and roof are visible from the public realm.

The following constraints apply:
Within the settlement of Hythe
Flood Zone 3
Area of Archaeological Potential

RELEVANT HISTORY

96/0762/SH – Erection of a first-floor extension.
Approved with conditions

96/0601/SH – Erection of a first-floor side extension.

Refused

PROPOSAL

This application seeks planning permission for the erection of a two-storey rear extension. The proposed extension would increase the ground floor area by forming an L-shaped extension with flat-roof and spanning the width of the rear elevation with a depth of approximately 5.6m from the rear façade of the original property. At first floor the proposal seeks to form an extension which spans the width of the rear elevation, over part of the ground floor extension. This extension features an off-centre pitched roof form, with eaves higher on one side, designed to reduce the impact upon the first-floor windows of the neighbouring semi. This extension would have a depth of approximately 3.9m from the rear façade of the original property. Proposed materials consist of matching cladding, brickwork and tiles.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file. The main points raised are summarised below.

Hythe Town Council – no objection

REPRESENTATIONS

None.

PUBLICITY

Neighbours notified by letter. Expiry date 15.12.2025

RELEVANT POLICIES

Places and Policies Local Plan 2020: HB1, HB8, T2

Core Strategy Review 2022: SS1

NPPF

NPPG

APPRAISAL

Design and visual appearance

The front and side façade of the existing side extension remains intact and therefore the extension would not be overly visible from the front elevation. Design and visual impact here would be negligible. However, from Heron's Way the rear extension would be visible at first floor and above.

Policy HB1 says, amongst other things, planning permission will be granted where the proposal makes a positive contribution to its location and surroundings, enhancing integration while also respecting existing buildings and land uses, particularly with regard to layout, scale, proportions, massing, form, density and materiality. Policy HB8 says, amongst other things, that alterations and extensions should seek to reflect the scale, proportions and roof line and detailing of the original building and not have a detrimental impact on the streetscene, either by themselves or cumulatively.

Although the proposed extension retains a minimum separation of approximately 1 metre from the boundary, in accordance with local policy, significant design concerns arise. To mitigate the impact on neighbouring first-floor windows, the extension incorporates an off-centre pitched roof. However, this design solution results in an awkward and unbalanced roof form that is wholly at odds with the symmetry and character of the host dwelling. Combined with the extension's full-width span across the rear elevation and its substantial projection from the main rear façade, the proposal appears overly bulky and visually dominant. The discordant roofline, disproportionate massing, and poor relationship to the original building create a disjointed and incongruous addition that fails to integrate with the established architectural character. The extension would be highly visible from the public realm, particularly from Herons Way, and due to its scale, roof design, and detailing, it would harm the streetscene and appear obtrusive and out of keeping with the prevailing pattern of development in the wider area. For these reasons, the proposal is considered to result in an unacceptable design that would have a detrimental impact on visual amenity.

Whilst it is acknowledged that there are two-storey / first-floor extensions within the wider street, these are all similar in siting, design, bulk and massing to the existing rear first floor at the application site or are designed in such a way that they do not dominate the site and surroundings. Therefore, despite their two-storey height, as they are not full width, these extensions read as adjuncts to their host dwellings and do not set a precedent or justify the current proposals.

The proposed side elevation window would have a neutral impact on the host property and wider area and therefore there are no objections to this element.

Residential amenity

Policy HB1 says, amongst other things, that planning permission will be granted where the proposal does not lead to 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. In this regard the proposed design has been led by ensuring that neighbouring amenity of the neighbour forming the other half of the semi would be safeguarded by the formation of the off-centre and in this regard the proposal is acceptable.

With regard to 81 Kingfisher Avenue, it is considered that there would be limited impact. This neighbour already has a single-storey rear extension (conservatory) and the proposed extension would not extend beyond the neighbours extension. The sites are separated by a close-boarded fence and the neighbours brick garage which sits upon the boundary. These would protect amenity from the proposed side elevation window in the host property. There are no side facing windows proposed at first floor and therefore no overlooking would occur here. It is considered that there would be no adverse effects in terms of overbearing, overlooking or overshadowing.

Parking and highways

Policy T2 PPLP in line with KCC IGN3 requires 2 independently accessible parking spaces for 3+ bed dwellings. The existing parking provision does not meet minimum parking requirements but the

additional bedroom would not significantly increase demand for off-street parking and therefore is not considered to be a reason for refusal. There is ample unrestricted on-street parking available in the wider area, and as such there are no objections on these grounds.

Archaeological Potential

Given the minor nature of the application it is not considered likely to result in harm to any buried items of archaeological interest. As such it is considered that no further information or mitigation is required in this regard.

Environmental Impact Assessment

In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

Local finance considerations

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

In accordance with policy SS5 of the Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. This application is not liable for the CIL charge.

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.

RECOMMENDATION

In light of the above, it is considered that planning permission should be refused for the reasons set out in the body of the report.

Recommended Refusal Reasons (1)

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The proposed rear extension, by virtue of its size, scale, bulk, mass, proportions, roof line and design, would appear as an overly dominant, visually obtrusive addition to the host dwelling that would relate poorly to the rear façade and would be highly visible from the public realm in Herons Way. As a result the extension would have a detrimental impact on the streetscene, resulting in an uncharacteristic addition that would fail to make a positive contribution to the prevailing pattern of development in the wider area. The proposal would therefore be contrary to polices HB1 and HB8 of the adopted Places and Policies Local Plan 2020.

Suggested Informatives (1)

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Your attention is drawn to the fact that this refusal of planning permission is on the basis of submitted documents:

Site Location Plan – 25/009-01 – 20.11.2025

Proposed Site Block Plan – 25/009-02 – 20.11.2025

Proposed Site Plan – 25/009-03 – 20.11.2025

Proposed Ground Floor Plan – 25/009-04 - 20.11.2025

Proposed First Floor Plan – 25/009-05 – 20.11.2025

Proposed Roof Plan – 25/009-06 – 20.11.2025

Proposed South Elevations – 25/009-07 - 20.11.2025

Proposed East Elevation – 25/009-08 – 20.11.2025

Proposed West Elevation – 25/009-09 – 20.11.2025

