



Appeal Decision

Site visit made on 2 December 2019

by J E Jolly BA (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2019

Appeal Ref: APP/L2250/D/19/3235630

261 Dover Road, Folkestone, Kent CT19 6NT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jon Roach against the decision of Folkestone & Hythe District Council.
 - The application Ref: Y19/0416/FH, dated 4 March 2019, was refused by notice dated 30 May 2019.
 - The development proposed is alterations to the existing drive, including the associated ground works, changes to levels, retaining walls, planters and steps with extension of a vehicular crossover.
-

Decision

1. The appeal is allowed and planning permission is granted for alterations to the existing drive, including the associated ground works, changes to levels, retaining walls, planters and steps with extension of a vehicular crossover at 261 Dover Road, Folkestone, Kent CT19 6NT in accordance with the terms of the application, Ref Y19/0416/FH, dated 4 March 2019, and the plans submitted with it, subject to the conditions set out in Annex A.

Procedural Matter

2. The main parties agree that the appeal is to be determined on the submitted drawings set out in the Decision Notice dated 30 May 2019. For the avoidance of doubt these are: Drawings JR-01 Rev 1, JR-30 Rev 1 JR-31 Rev 1, and JR-32 Rev 1. I have determined the appeal on this basis.

Main Issue

3. The effect of the development on the character and appearance of the area as a result of ground levelling and the loss of formal landscaping to the front of the dwelling.

Reasons

4. The appeal site is located in a residential area of brick and tile dwellings set either side of the A260 main road. On-street parking is available along Dover Road. However, many dwellings have off-street parking spaces on re-configured front-garden space. 261 Dover Road is a two-storey, semi-detached dwelling that has an elevated position facing the highway. To the front of No 261 there is a paved parking area which slopes upwards to the entrance of the property. There is some landscaping and soft planting to the front of the parking area and a gravelled step-up to the front door. The neighbouring dwellings are typical of the area in that they have a mix of landscaped front gardens, low front walls and/or driveways that open directly onto the highway.

5. The proposal would remove the existing front wall and reduce the current slope of the parking area. The new arrangements would also include two parking spaces/driveway of resin bonded gravel, new stairs and a ramp, soft-landscaping in timber planters and new retaining walls. In addition to this an extended crossover to the driveway would be constructed.
6. The proposed driveway and parking area would be similar to many semi-detached properties on Dover Road, for example Nos 253, 257 and 259 Dover Road which slope down the main highway on this side of the road as pairs of semi-detached dwellings with front parking areas. As such, the proposal is cohesive with the character and appearance of the area and aligns with the prevailing form of development on this section of Dover Road. Furthermore, the proposal would have generous soft-landscaping, and a sloped rather than level parking area, which in combination would soften and minimise the vertical emphasis of the dwelling.
7. I accept that the neighbouring detached property at 263 Dover Road has a front wall and landscaped area rather than open access parking. However, this is a feature more common to the detached dwellings at the higher end of Dover Road and forms part of the uniformity in this specific section of the street.
8. Whilst I acknowledge an earlier appeal decision for the same site and the concerns raised in that decision, following an assessment of the proposal before me, and for the reasons described above, I find that, in this particular location, the appeal scheme with its revised planters and landscaping has served to overcome those concerns.
9. Therefore, the proposal accords with saved Policies BE1 and BE8 of the Shepway District Local Plan Review 2006 which seeks to ensure that proposals accord with the existing development in the locality and does not have a detrimental impact on the street scene; and Policy HB1 of the Shepway District Council Places and Policies Local Plan Submission Draft 2018, which says that development should make a positive contribution to its location. For similar reasons, the proposal meets the aims of Paragraph 127(b) of the National Planning Policy Framework which says, amongst other things, that development should be visually attractive as a result of good architecture, layout, and appropriate and effective landscaping.

Conditions

10. I have considered the suggested conditions against Paragraph 55 of the National Planning Policy Framework and the national Planning Practice Guidance and imposed the following conditions; a standard time limit condition, a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. In order to protect the appearance of the area, I have also imposed a condition related to the external materials used in the construction as specified in the application, and finally to reduce the risk of flooding, a pre-commencement condition related to surface water drainage which has been agreed in writing by the appellant. In addition to the Councils' suggested conditions I have imposed a further condition provided by the Kent County Council Highways and Transportation department to ensure that the engineering works adjacent the highway and the associated parking spaces meet with their requirements as part of an approved method statement.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed subject to the conditions set in Annex A.

JE JOLLY

INSPECTOR

Annex A – Conditions:

1. The development must be begun within three years of the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawings: JR-01 Rev 1, JR-30 Rev 1 JR-31 Rev 1, and JR-32 Rev 1.
3. The development hereby approved shall be carried out in complete accordance with the details of materials as specified in the application, unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to first use of the driveway details of the proposed surface water drainage shall be submitted to and approved by the Local Planning Authority, with no surface water discharging onto the highway. The approved scheme shall be maintained in a functional condition thereafter.
5. The development hereby approved shall be carried out in complete accordance with a method statement, agreed in writing with Kent County Council Highways and Transportation department, in relation to the engineering works adjacent the highway.

****End of Conditions***