



Appeal Decision

Site visit made on 25 September 2020

by A Thompson BSc BTP MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 03 December 2020

Appeal Ref: APP/X2220/D/20/3251430
215 Folkestone Road, Dover, CT17 9SL

- 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 Josh Brearley against the decision of Dover District Council.
 - The application Ref 20/00032, dated 15 January 2020, was refused by notice dated 10 March 2020.
 - The development proposed is a vehicular access and hardstanding.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development, as it is shown on the planning application and appeal forms, does not fully describe the development to which the appeal relates. I have therefore taken the description of development from the Council's Decision Notice as this is more accurate. This does not fundamentally change the scheme before me nor would it, in my view, prejudice the case of either party in relation to it. I have proceeded on this basis.

Main Issues

3. The main issues are:
 - (a) the effect of the development on highway safety on Folkestone Road; and
 - (b) the effect of the development on the character and appearance of the area.

Reasons

Highway Safety

4. It was evident on my site visit that Folkestone Road is a busy local road. The highways authority, Kent County Council, advise that the visibility splays required for a new access onto such a Local Distributor road should be 43 metres x 2.4 metres x 43 metres.
5. The submitted 'Crashmap' data indicates that there have been no incidents near the proposed site associated with the existing crossovers. This stretch of Folkestone Road is relatively straight and the pavement substantially widens out to the west of the site adjacent to the bus stop. However, I have no substantive information in front of me that demonstrates that adequate

visibility splays of the dimensions required by the highway authority would be provided.

6. There are marked on-street parking bays close to where the new access would be formed. Any cars parked in those bays would be likely to substantially restrict visibility to vehicles approaching on the nearside lane. The highways authority considers that the limited visibility available to vehicles using the proposed access, particularly to the east, would be likely to create hazards for users of the highway.
7. Having regard to the clear objection on highway safety grounds by the statutory highway authority, which reflect my own on site observations and in the absence of substantive evidence that demonstrably overcomes those concerns, I find that the development would harm highway safety on Folkestone Road. Consequently, the development would be contrary to Paragraph 108 of the National Planning Policy Framework (NPPF) which seeks to ensure safe site access is provided in development proposals.

Character and appearance

8. It is acknowledged that some of the properties opposite and nearby would appear to have lost their front gardens to hard standing for car parking. However, the appeal property is an attractive 3 storey Victorian building which has retained its front garden area. It sits within a substantial block of similar properties, on that side of Folkestone Road, that have also retained their front garden areas. These landscaped garden areas, which appear to be original features of the substantial properties fronting this part of Folkestone Road, materially enhance the character and appearance of the area.
9. The provision of a hardstanding for two vehicles in front of the appeal property would involve the removal of the existing low boundary wall and loss of most of the garden area and associated landscaping. The development would introduce a wholly discordant and substantial area of hardstanding into this continuous block of front gardens that would harm the character and appearance of the host property, the street scene and the wider area.
10. Consequently, I find that the development would be contrary to Paragraphs 124, 127 and 130 of the NPPF, which amongst other things seeks to encourage good design, that is sympathetic to the local character and quality of an area.

Other considerations

11. It is argued that the provision of off-street parking would improve the attractiveness of the property for those seeking to invest or move into the area. The local authority state that there is vehicular access to the rear of the property and the appeal site is served by a garage with a parking space in front of it. Having regard to the level of existing provision of off-street parking this consideration adds only limited weight in favour of the proposal.
12. My attention has been drawn to a number of instances where hardstanding has been permitted in front of other properties along Folkestone Road, in particular, at Nos 148 & 150, which are almost opposite the appeal property. There is a need for consistency in terms of decision making, however, I do not have substantive evidence in front of me about those other cases, for example, the views of the highway authority on these proposals and accordingly I cannot attach substantial weight to this consideration.

13. Furthermore, it is necessary to consider each case on its merits and I am clear that there are highway safety concerns about the appeal proposal which have not been satisfactorily resolved. Consequently, the existence of other hardstandings in the vicinity of the appeal site, including at Nos 148 & 150 Folkestone Road, does not alter my conclusion on this matter.

Conclusion

14. For the reasons I have set out above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Anthony Thompson

INSPECTOR