
Appeal Decision

Site visit made on 16 August 2021

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/L2250/D/21/3277819

10 Castle View, Hythe CT21 4BF

- 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 Mrs Susan Cole against the decision of Folkestone and Hythe District Council.
 - The application Ref 21/0593/FH, dated 18 March 2021, was refused by notice dated 19 May 2021.
 - The development proposed is roller door on car barn.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework ('the Framework') has been published since the planning application was determined by the Council. Both main parties have had the opportunity to comment on any relevant implications for the appeal. I have had regard to the Framework in reaching my decision.
3. Within the parties statements there is mention of a partition wall erected at the car barn. However, the appellant's statement confirms that the partition wall was removed just after the planning application was submitted to the Council. Irrespective of any development that may have taken place in the past, I am required to consider the proposal that is before me, that is, the installation of a roller door on the car barn.

Main Issue

4. The main issue in respect of this appeal is whether the loss of an off-street parking space associated with the dwelling would place additional parking pressure on the surrounding highways.

Reasons

5. A planning condition has been imposed upon the development, of which this property forms part, that requires the parking and garaging of vehicles to be kept available for parking purposes in connection with the development at all times. The reason given is that it is necessary to make provision for adequate off street vehicular parking to prevent obstruction of the highway. The approved parking provision associated with this property is provided by the car

- barn and the hardstanding, a total of two spaces both to the side of the dwelling.
6. It is contended that most occupiers utilised their car barn for storage, and it is advised that the car barn is too small for the appellant's car once parked in the barn as it is not possible to open the car doors. Notwithstanding this, the appellant concedes that a vehicle would fit within the car barn with a roller garage door in place albeit it would be tight to get out of the vehicle but that it could be done. It is suggested that the roller garage door would keep the barn as a viable parking space and that this has been demonstrated to be so at other properties within the estate. However, I have not been directed to any particular examples within the estate where this has taken place.
 7. I saw that a significant number of the car barns within the estate were utilised for parking, however many of those vehicles parked within the space projected beyond the front of the car barn. Whilst a vehicle may fit within the car barn with a door in place, given the constraints set out in the above paragraph, it is highly likely that this would discourage the occupiers from using this space for parking a vehicle.
 8. Consequently, I consider that the roller door would prevent the car barn from being used for parking. As such, this would remove this allocated parking space associated with the host property. Therefore, there would only be one off-street parking space to serve this three-bedroom dwelling rather than two spaces. In order to comply with parking standards this three-bedroom property should be accompanied by two off-street parking spaces. The loss of the car barn for parking would result in a shortfall in off-street parking at the property. This would place additional parking pressure on the surrounding public highways, which I saw to be unsuitable by design to absorb additional parking.
 9. It is suggested that partition enclosure, roller shutters or double doors have been erected at other car barns within the estate. I saw a small number where enclosures have been installed. However, those may not have taken place with the appropriate permissions in place. Indeed, the appellant suggests that they do not benefit from planning permission. As such, those shutters or doors cannot offer any support for the proposal that is before me as there is doubt over their lawfulness.
 10. It is advised that the wind creates a wind tunnel through the car barn and this results in the appellant's belongings being blown onto the adjoining highway and elsewhere. It is also advised that animals defecating in the car barn has resulted in unpleasant odours entering the dwelling through a kitchen vent. Security is also raised as a concern as it is said that there has been theft from car barns at the development. I accept that there would be benefits to the appellant of having a roller door on the car barn. However, the problems arising as a result of the diminution of available parking spaces at the property are not outweighed by the appellant's particular circumstances.
 11. Whilst the appellant may currently only make use of one vehicle; this may not always be the case. Furthermore, future occupiers of this three-bedroom dwelling may have more than one car and the appropriate parking standards should be maintained to cater for their vehicle parking requirements.

12. I acknowledge that no objection has been raised by the local parish council or neighbours. Nonetheless, the proposal needs to be considered in terms of the wider public interest.
13. For these reasons, I conclude that the loss of an off-street parking space associated with the dwelling would place additional parking pressure on the surrounding highways giving rise to potential obstruction of the highway, to which the planning condition imposed upon the development has sought to prevent. The proposal would, therefore, conflict with Policy T2 and Interim Guidance Note 3 (IGN3) Guidance Table for Residential Parking as set out in the adopted Folkestone & Hythe District Places and Policies Local Plan that seeks, amongst other matters, development to provide sufficient resident parking.

Conclusion

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

Nicola Davies

INSPECTOR