

Appeal Decision

Site visit made on 23 August 2022

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26TH September 2022

Appeal Ref: APP/L2250/W/22/3298093

Land Adjacent to Unit 1, North Close Business Centre, North Close, Folkestone CT20 3UH

- 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 Spotless Water Ltd against the decision of Folkestone & Hythe District Council.
 - The application, Ref. 22/0052/FH, dated 8 January 2022, was refused by notice dated 7 March 2022.
 - The development proposed is the laying of a hardstanding and the erection of a water filling station (retrospective application).
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Decision

1. The appeal is allowed and planning permission is granted for the laying of a hardstanding and the erection of a water filling station on Land Adjacent to Unit 1, North Close Business Centre, North Close, Folkestone in accordance with the terms of the application, Ref. 22/0052/FH, dated 8 January 2022, subject to the condition that the laying of a hardstanding and the erection of a water filling station shall be in accordance with the following approved plans: OS-based Site and Location Plan; Drawing No. 0493 P001; SW water station V4.0 specification.

Main Issue

2. The appeal application seeks retrospective permission as the water filling station has already been erected and is in use. The main issue is the effect of the filling station on the character and appearance of the streetscene.

Reasons

3. The Council's objection is that the water filling station is an incongruous and obtrusive structure that harms the character and appearance of the street scene. However, I saw on my visit that although there is housing on the opposite side of North Road, the station is located within the context of the industrial and commercial buildings of North Close.
 4. Furthermore, the filling station is set further back than the North Road building line of the large building to the west which has a flank elevation to North Close. It is also rearward of the brick wall with timber insets that is the North Road boundary of the adjacent North Close Business Park. In this position and together with its navy blue colour the station does have some prominence, but I do not regard it as either incongruous or harmfully obtrusive. Indeed, its
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appearance is far superior to the appearance of the shipping containers that are a regular feature of all industrial estates, examples being those positioned nearby as referred to in the grounds of appeal.

5. Accordingly, I see no harmful conflict with Policy HB1 of the Council's Places and Policies Local Plan 2020. This notwithstanding, there are also representations from local businesses referring to problems, including a restriction of the sight line, the nuisance and dangers of queuing vehicles and inadequate drainage which results in surface water that can freeze in the winter and be dangerous. However, in my view these matters are more indicative of a need for effective and ongoing site management than a demonstration of an unsuitable location.
6. In this regard I note from the appeal application form's certificate of land ownership that the owners of the site are based at the adjacent North Close Business Centre. I consider that this proximity should facilitate the opportunity to resolve any operational difficulties and adverse effects both on receipt of this Decision and thereafter as they arise.
7. For the reasons explained the appeal is allowed. In granting permission, in the interests of certainty and proper planning I shall impose a condition that legally ties the unit to the details provided in the application.

Martin Andrews

INSPECTOR