



Appeal Decision

Site visit made on 20 June 2025

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/L2250/D/25/3364427

58 Brockhill Road, Hythe, Kent CT21 4AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mark Ian Russell against the decision of Folkestone & Hythe District Council.
 - The application Ref is 24/1960/FH
 - The development proposed is the formation of a new vehicular access and dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for formation of a new vehicular access and dropped kerb at 58 Brockhill Road, Hythe, Kent CT21 4AG in accordance with the terms of the application, Ref 24/1960/FH, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted including through making good shall match those existing.

Main Issue

2. The main issue is the safety of the public, with reference to highway safety

Reasons

3. The appeal dwelling is a two storey detached house with front garden, with a ragstone dwarf stone wall boundary to the highway. It is located on that part of the street fronted by similarly scaled residential properties with a wide variety of architectural expressions, resulting in a mixed, but attractive and well maintained streetscene. The vast majority of properties in this part of the street have an off street parking space for a single vehicle to their front.
4. The decision notice states that Brockhill Road is a classified road, however, there is no information before me that defines what that classification is. However, from my site visit it at midday on a weekday, it was evident that Brockhill Road only has an occasional vehicle passing in both directions at this time. I have no doubt that at peak hours the street would be busier with traffic and pedestrians, but overall, the impression is of a relatively quiet residential street.

5. The proposed vehicular access with dropped kerb includes the creation of a hard standing parking area to the side and part of the front of the appeal dwelling. This would require the removal of sections of the front dwarf ragstone wall. A front hedge referred to by the Council in the officer's report had been cut to ground level at the time of my site visit.
6. From the documents submitted by both main parties there are differing statements on the width of the space available to the side of the appeal dwelling. However, from my site visit, the measurements given by the appellant appear to be the most accurate at 3.7 metres wide, with a proposed length of 5.4 metres.
7. This would provide for an off street parking area larger than the minimum dimensions of 5.0 metres in length and 2.9 metres, given for an off street parking space abutting hard boundary/vegetation on both sides in Table 8 of Kent County Council's Parking Standards (January 2025). I note these dimensions are typically for a car park, rather than residents' driveway.
8. As such, the off street parking space proposed would be sufficient to allow a large size of car to park off street, without any overhang of the footway part of the highway, therefore, it would not result in any highway safety issues in this regard.
9. During the application process the appellant submitted a simple plan showing visibility splays illustrated on top of the block plan submitted originally. From my site visit, it is clear that these allow for sufficient visibility for a driver exiting the proposed parking space in a forward direction, such that they would have the required visibility of approaching vehicles and users of the footway on this quiet road, as I have identified above. The proposal would not, therefore, result in any highway safety issues in this regard.
10. For these reasons the proposal would not result in any significant harm to highway safety and would accord with Policies HB1 and T2 of the Folkestone and Hythe Places and Policies Local Plan (2020). These collectively seek development that provides for parking space for larger cars, ease of movement and a clear definition between public and private realm.

Conditions

11. As well as granting planning permission in accordance with the terms of the application and the plans submitted with it, I have attached the standard condition regarding the timing of implementation and in the interests of design quality and to ensure design quality I have attached a condition requiring matching materials.

Conclusion

12. The appeal is allowed.

Victor Callister

INSPECTOR