



Appeal Decision

Site visit made on 11 August 2017

by N A Holdsworth MCD MRTPI

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

Decision date: **25/08/17**

Appeal Ref: APP/L2250/D/17/3174039

19 Redbrooks Way, Hythe, CT21 4DN

- 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 Patrick Jones against the decision of Shepway District Council.
 - The application Ref Y17/0137/SH, dated 7 February 2017, was refused by notice dated 5 April 2017.
 - The development proposed is the formation of a forecourt parking space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect on the character and appearance of the area.

Reasons

3. The appeal building forms part of a line of residential dwellings built at a higher level to Redbrooks Way. The front gardens of these properties fall gently to the road, behind a low retaining wall that forms an established front boundary to these residential buildings. Whilst this wall is interrupted on several occasions by existing driveways to the south east of the appeal site, these driveways have a similar appearance and layout to each other, and are located at broadly consistent intervals along the road. In all cases the existing driveways run away from the road towards the respective building, therefore limiting the extent of frontage used for the purpose of vehicular access and off street parking.
4. The development would remove a substantial part of the existing wall in front of 19 Redbrooks Way to create a hardstanding which would be used to park a car parallel to the pavement. Because of its location and horizontal orientation, the appearance of the proposed parking space would differ considerably from the parking arrangements associated with other residential properties; effectively creating an isolated car parking space between the footpath and the residual garden area beyond. Furthermore, the enlarged retaining wall would be of a substantially greater height than the existing wall, and set in a different location. In consequence, the proposed development would diminish the significance of the existing retaining wall along this part of Redlands Way, and the contribution it makes to the uniformity of the surrounding townscape.

5. In coming to this view I note that the existing wall to the front of No. 19 has a slightly different appearance to the wall along the remainder of the road. However, the appearance of the wall and the shingle bed beyond has not deteriorated to the point where it detracts from the overall appearance of No.19 or the wider street-scene. The height, colour and location of the existing wall in relation to the building line are otherwise consistent with the wall along the remainder of this part of Redbrooks Way. Whilst planning conditions could ensure that the colour and materials used in the proposed development are sympathetic to the remainder of the wall, this would not overcome the harm that arises from its height and location.
6. I have also noted the examples provided of similar developments within the surrounding area where off street parking has been provided in a similar way to the proposed development. However, this decision relates to a specific townscape context which I have described in this decision. The existence of other similar parking arrangements in the wider area does not therefore provide a justification for the proposed development.
7. There are a variety of hard and soft landscaping arrangements within the other front garden areas along Redbrooks Way, reflecting the preferences of the existing occupants of the residential dwellings. However, these have not affected the overall uniformity of the townscape. There were no objections to the development from neighbouring residents; however the absence of objections to the development does not constitute a benefit in its favour.
8. I accept that the proposed development would improve the quality of residential accommodation for the existing resident of No.19, given that currently it has no existing private off street parking. However, the development does not involve the creation of a new dwelling and therefore the recommended parking standards for new development set out in saved policy TR12 of the Shepway District Local Plan Review (2006) (SDLPR) have limited relevance to this decision. Furthermore, no substantial evidence has been provided that the parking demand arising from the existing dwelling cannot be accommodated by the existing parking spaces available within the surrounding road network. In consequence, I attach little weight to the land use benefits of providing one additional private off street parking space, which do not outweigh the harm that would arise to the character and appearance of the area.
9. In conclusion, the proposed development would conflict with saved policy BE1 of the SDLPR which, amongst other things, requires new development to be sympathetic to existing development within its locality. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

Neil Holdsworth

INSPECTOR



The Planning Inspectorate

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Your Ref: Y17/0137/SH
Our Ref: APP/L2250/D/17/3174039

25 August 2017

Dear Ms Gunn/Ms Wilkins,

Town and Country Planning Act 1990
Appeal by Mr Patrick Jones
Site Address: 19 Redbrooks Way, HYTHE, CT21 4DN

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Yours sincerely,

Jonathan Noble

Jonathan Noble

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Gunn, Karen

From: Stubbs, Lilian on behalf of Planning
Sent: 25 August 2017 14:04
To: Gunn, Karen; Wilkins, Danielle
Subject: FW: Planning Inspectorate APP/L2250/D/17/3174039: 19 Redbrooks Way, CT21 4DN
Attachments: Despatch Cover Letter - Karen Gunn_Danielle Wilkins - 25 Aug 2017.pdf; Decision 3174039 19 redbrooks way.pdf

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From: East3@pins.gsi.gov.uk [<mailto:East3@pins.gsi.gov.uk>]
Sent: 25 August 2017 13:56
To: Planning
Subject: Planning Inspectorate APP/L2250/D/17/3174039: 19 Redbrooks Way, CT21 4DN

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