

**NOTIFICATION OF DECISION OF
THE LOCAL PLANNING AUTHORITY**

Date of Decision: 21 June 2024



Email: planning@folkestone-hythe.gov.uk

Mrs Lauren Byrne
47 Station Road
Lydd
Romney Marsh
TN29 9ED

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: 24/0129/FH

Proposal: Installation of a retaining wall and the raising of land to form vehicular parking and associated access to a classified road.

Site Location: 47 Station Road, Lydd, Romney Marsh, TN29 9ED

DECISION: REFUSED in accordance with the planning application and plans.

REFUSAL REASONS

- 1 The proposed parking platform, by virtue of its design, bulk, scale and elevated position, would give rise to an overly dominant, visually detrimental addition that significantly harms the character and appearance of the main dwelling and the visual amenity of the wider street scene. The proposal is therefore contrary to policies HB1 and HB8 of the adopted Places and Policies Local Plan 2020.
- 2 The proposed parking platform, by virtue of its design, siting in relation to neighbouring properties, scale and elevated position, would give rise to an overbearing impact and poor outlook, which would significantly harm the residential amenity of adjoining occupants. The proposal would therefore be contrary to policies HB1 and HB8 of the adopted Places and Policies Local Plan 2020.
- 3 It has not been demonstrated that the necessary visibility splays required to ensure safe egress and access to the site could be provided and that they would remain unobstructed in perpetuity. The Local Planning Authority is therefore unable to confirm that highway safety and convenience would be maintained and as such the proposal would be contrary to Paragraph 115 of the NPPF and policy HB1 of the adopted Places and Policies Local Plan 2020.

Informatives and notes

- 1 Your attention is drawn to the fact that this refusal of planning permission is on the basis of the following submitted documents:
Site Location Plan (Received: 23/02/2024)
Proposed Block Plan (Received: 20/02/2024)
Existing Block Plan (Received: 20/02/2024)
Proposed General Layout (Received: 29/01/2024)
Proposed Kerb details (Received: 29/01/2024)
Through Section Detail (Received: 29/01/2024)
18/00000/DFG Line Of Site Splay (Vehicular) Proposed (Received: 19/03/2024)
18/00000/DFG Line Of Site Splay (Pedestrian) Proposed (Received: 19/03/2024)
Additional plans/amendments (Received: 22/03/2024)
Site Location Plan showing dropped road access (Received: 23/02/2024)

In determining this planning application, the Council has had due regard for all relevant matters and particularly the National Planning Policy Framework. This includes the duty to work positively with the applicant to resolve potential issues and seek acceptable solutions.

This decision relates ONLY to the requirements of Town and Country Planning Act 1990. Separate determinations are required for other aspects of the planning regime, building regulations and environmental legislation. Any other permissions must be obtained separately from the relevant body.



Issued by the Chief Planning Officer

This decision notice consists of 3 pages

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or the grant of it, subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

As this is a decision to refuse planning permission for a householder application, if you want to appeal, then you must do so within 12 weeks of the date of the notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provision of a development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which had been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interests in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.