
Appeal Decision

Site visit made on 22 June 2020

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2020

Appeal Ref: APP/D3830/D/20/3246456

19 Knowle Drive, Copthorne, Crawley RH10 3LW

- 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 Chris Larkin against the decision of Mid Sussex District Council.
 - The application Ref DM/19/3326, dated 23 September 2019, was refused by notice dated 14 November 2019.
 - The development proposed is described a "*boundary fence and access (man) door to existing garage*".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the proposed development from the planning application form although I note it is expressed differently on other documents.
3. The boundary railings and access door have been installed; therefore, I was able to view them in place at the time of my site visit.

Main Issue

4. The main issue raised by this appeal is the effect of the proposed development upon the character and appearance of the area.

Reasons

5. This residential estate hosts properties with open garden frontages, although some frontages have been enclosed by hedges and vegetation. Where some properties side onto the highway boundary walls or timber fences are set back from the highway behind grass verges and/or vegetation. The frontages of the properties in the cul-de-sac are free of boundaries or enclosures. The openness within this part of the estate creates a distinctiveness to its character giving it a sense of place. I observed that whilst some walls and fences directly abut the highway these are some distance further along Knowle Drive and those enclosures are not generally characteristic of the wider estate.
6. I acknowledge that a number of properties in the environs of the appeal site have vegetated front gardens and hedges enclosing some frontages. However, I did not see any examples within the area where metal railings have defined site boundaries or enclosed frontages and I have not been directed to any examples where this has taken place within the estate. Whilst the railings may

- not have the same visual impact as a close board fence or a wall, they are nonetheless a feature that is not prevalent within this area.
7. Enclosing this land has removed the open character to this part of the estate and this is a diminution of its open character. Furthermore, the railings are a highly visible feature that appear as an uncharacteristic and discordant projection into the openness of the streetscene, especially when viewed within the context of the open frontages within the cul-de-sac. Consequently, the proposal is wholly out of keeping and is harmful to the character and appearance of the locality and the wider area.
 8. I appreciate that the railings have been erected to keep a member of the household safe at the property and I note that the appellant is willing to accept a time limit condition on any permission granted. Whilst I sympathise with the appellant's personal circumstances, this does not overcome my concerns relating to the development's visual harm nor would it justify the proposed development. Even if a temporary permission were imposed, the visual harm resulting from the development would take place whilst the railings are in place.
 9. A number of photographs said to be examples from within the estate have been provided, however their locations have not been supplied. Given the appearance of a number of the properties they do not seem to me to relate to that part of the estate within which the appeal site is located and, therefore, the context of the development in those areas is likely to differ. Further to these examples it has been suggested that due to the breaches that have taken place this would prevent the condition imposed in 1966 that restricts the erection of gates or fences within the estate from being enforced. However, that is a matter for the local planning authority separate to this appeal.
 10. I acknowledge that the appellant would be willing to accept a landscaping condition. I have found that the railings are an uncharacteristic and discordant projection into the openness of the streetscene. Landscaping would not overcome this as the development would not assimilate with the existing visual context of this part of the estate.
 11. For the above reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal, therefore, conflicts with Policy DP26 of the Mid Sussex District Plan 2018 and Policy COP04.1 of the draft Copthorne Neighbourhood Plan 2017. These policies seek, amongst other matters, all development and surrounding spaces, including alterations and extension to existing buildings and replacement dwellings, to be well designed and reflect the distinctive character of the towns and villages.

Conclusion

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

Nicola Davies
INSPECTOR