



Appeal Decision

Site Visit made on 6 January 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th January 2021

Appeal Ref: APP/K3605/D/20/3261026

1 Summerfield Lane, Long Ditton, Surbiton KT6 5DZ

- 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 Hyong Joon YU against the decision of Elmbridge Borough Council.
 - The application Ref 2020/1038, dated 1 May 2020, was refused by notice dated 12 August 2020.
 - The development proposed is erection of new fences and gates facing the private road in front of my property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - highway safety.

Reasons

Character and appearance

3. The appeal property occupies a sizeable plot at the end of a linear row of housing development on Summerfield Lane, a private road beyond which there are paddocks associated with an equestrian facility and a nursery. The surrounding area is residential whilst the fields at the end of the road give it a semi-rural character. Properties are typically set back from the road behind front gardens and drives, some of which are open to the street and others semi-enclosed behind hedges, fences and gates, providing views of the properties from the street.
4. The proposed development is to replace the existing vegetation and open entrance along the appeal property's front boundary with a 1.7 metre high fence with a vehicle and pedestrian gate. This would introduce a hard, formal, tall and enclosing landscaped feature to the front of the property uncharacteristic of the more open, lower and natural front boundaries along Summerfield Lane. In this context, it would appear as an urbanising feature, in stark contrast with surrounding development. Neither the opacity of the upper section of the fence being of a more open design, nor changing the colour of the fence panels from a grey colour or brown wood appearance, would

overcome the harm from the enclosing and formal appearance I have identified.

5. There are a very limited number of tall fences along boundaries within the area. Directly opposite the appeal property, there is a close boarded timber fence which forms a side boundary to a property fronting Love Lane. However, this does not enclose the front elevation of the property from the road and is not directly comparable to the proposal before me. Furthermore, it seems to me that the length and height of this fence does not appear to have benefitted the character and appearance of the area. It therefore provides no justification for the scheme before me.
6. I conclude that the proposed development would significantly harm the character and appearance of the area. It would therefore conflict with Policy DM2 of the Elmbridge Local Plan Development Management Plan 2015 (DMP) and the National Planning Policy Framework (the Framework) which together require new development to achieve a high quality design that preserves or enhances the character of the area. It would also not accord with the Council's Design and Character Supplementary Planning Document 2012 which advises that high fences along the street frontage can make it feel less attractive and safe. I have found no conflict with Policy CS9 of the Elmbridge Core Strategy 2011 as this appears to be a location specific policy which does not relate to the location of the appeal site.

Highway safety

7. Number 1 (No 1) is positioned at the far end of Summerfield Lane, a residential cul-de-sac which terminates to form the private access to the equestrian and nursery sites beyond the appeal site. A narrow, unmade track runs between No 1 and the adjacent paddocks. A grass verge separates the boundary of No 1 from the carriageway and there is no footpath. On the opposite side of the road, Summerfield Lane leads into Love Lane a short residential cul-de-sac.
8. The installation of a fence and gate to the existing entrance, as a solid structure, would cause some reduction in visibility in both directions for vehicles emerging from the appeal site. However, as the entrance would be set back behind a grass verge it would still be possible for drivers emerging to gain a view to the right down Summerfield Lane and to the left towards the nursery and equestrian facility access road without having to emerge into the path of other users of the road.
9. The Council has indicated that the proposal would fall below the minimum recommended visibility splay of 2 metres in areas of low speed and low traffic set out in the Manual for Streets. However, given the position of the appeal site behind a grass verge and at the far end of a cul-de-sac with limited passing traffic and other road users, the proposal would not increase the risk of conflict between road users.
10. For this reason, I conclude that the proposed development would not harm highway safety. It would therefore comply with Policy DM7 of the DMP which requires access to and from the highway to be safe and convenient for pedestrians, cyclists and motorists. It would also accord with the Framework which sets out development should be refused if it would have an unacceptable impact on highway safety.

Other Matters

11. The proposed development would improve security and increased privacy for the appellant's property through the provision of a high fence along the Summerfield Lane frontage. However, it seems to me that there are other ways the appellant could achieve these improvements with a less harmful effect on the character and appearance of the area.

Planning Balance and Conclusion

12. The proposed development would not harm highway safety. However, it would significantly harm the character and appearance of the surrounding area. It would consequently be contrary to the development plan in this respect and there are no other material considerations, including the limited number of objections, that indicate my decision should be taken otherwise than in accordance with the development plan. For this reason, I conclude that the appeal should be dismissed.

Rachael Pipkin

INSPECTOR