



Appeal Decision

Site visit made on 30 November 2021

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 DECEMBER 2021

Appeal Ref: APP/Q3820/W/21/3275641

1 Turner Walk, Crawley RH10 5LF

- 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 Mussadiq Ahmad against the decision of Crawley Borough Council.
 - The application Ref CR/2020/0629/FUL, dated 18 November 2020, was refused by notice dated 1 February 2021.
 - The development proposed is "provision of a drive across amenity land to provide access to the highway".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has advised that during the course of the appeal the Highway Authority confirmed the proposed development would not result in highway safety concerns, and their objection to the proposal on highway safety grounds is therefore withdrawn.

Main Issue

3. Taking the above into account, the main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site comprises an end of terrace house with front and rear gardens and part of a wide grassed verge, located within a mid-twentieth century estate made up of houses of similar styles. The grassed verge lies outside the curtilage of the house and runs the full length of the house and gardens, between them and the footpath. Grassed verges are a notable feature of the estate, which the Council has described as typical of its New Town planned layout.
5. The proposed development would include the provision of a vehicle crossover across part of the grassed verge, to allow the appellant to park an electric vehicle within the front garden. The appellant has described the grassed verge as poorly maintained and unsightly, but I saw it to be a pleasant area of soft landscaping between the highway and boundary walls of the appeal property, making a positive contribution to the identity of the estate, albeit with some worn areas apparently resulting from the informal parking of vehicles.

6. The proposal would reduce the size of the grassed verge by only a small amount, but in this location the positioning and extent of the proposed crossover would relate poorly to terrace. The appellant has suggested that the proposed crossover could be constructed with porous paving and incorporate a 'grasscrete/gridlock' type product which would retain areas of grass and would not be used for the parking of vehicles to ensure the openness of the area would be retained. Even if this were to be the case, the use of this particular section of the grassed verge as a formalised crossover between the front garden and the existing angled dropped kerb would appear awkward, cramped, and poorly designed in the street scene and the context of surrounding neatly arranged blocks of housing bordered by grassed verges of various sizes as part of a formal planned layout.
7. I noted a mix of front gardens and off-street parking areas in the locality surrounding the appeal site, and examples of some grassed verges being used as informal parking areas. I also saw the reduced areas of grassed verges along Constable Road, as referred to by the appellant. In all of these cases and the other examples referred to by the appellant, grassed verges of various widths have generally been retained between carriageways, footpaths and domestic boundaries, softening the appearance of the estate as a whole. The existence of those formal and informal off-street parking examples in the surrounding area do not convince me the proposed development would be in keeping with what the appellant has referred to as an evolving character of the area. Instead, the proposal would erode the pleasant, neat appearance of the estate.
8. The proposed crossover would therefore harm the character and appearance of the area, contrary to Policies CH2, CH3 and IN7 of the Crawley Borough Local Plan 2015 – 2030 (2015). These require, amongst other things, development proposals to reinforce local distinctiveness and be of a high quality in terms of their urban design without adversely affecting the amenity of the street scene.

Other Matters

9. The appellant has identified benefits which would result from the proposed crossover, allowing the appellant to safely park and charge an electric vehicle within their front garden. It is claimed this would overcome security concerns relating to the existing parking area to the rear of the appeal site, but there is no evidence before me to demonstrate the fear of crime is reasonably justified or could not be avoided by less harmful alternative measures, such as parking elsewhere, including on the street. There would be difficulties in charging an electric vehicle on the street, and those would be shared by the vast majority of houses within the surrounding estate. It has not been demonstrated that any difficulties in charging the appellant's electric vehicle could not be resolved by alternative measures and no evidence has been presented to demonstrate the appellant's existing arrangements for charging their electric vehicle are not sustainable, or that the proposal is "necessary for climate change reasons" as claimed.
10. I note the appellant's intention to undertake unspecified landscaping works to the grassed verge, which could improve its appearance and biodiversity, but I do not consider further landscaping of the verge would improve its appearance or biodiversity by a substantial degree. The claimed environmental and security benefits of the proposal would not, therefore, outweigh the harm that the

proposal would cause to the character and appearance of the area, which I have identified above.

Conclusion

11. The proposal would harm the character and appearance of the area in conflict with the development plan taken as a whole. There are no material considerations that indicate my decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

L Douglas

INSPECTOR