



Appeal Decision

Site visit made on 15 February 2022

by Grahame Gould BA MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21ST February 2022

Appeal Ref: APP/Z3825/D/21/3285696

11 Elgar Way, Horsham RH13 6RH

- 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 Rojimon Varughese against the decision of Horsham District Council.
 - The application Ref DC/21/1285, dated 2 June 2021, was refused by notice dated 22 September 2021.
 - The development proposed is erection of compound wall with vehicular access gate and a pedestrian gate.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the appearance of 11 Elgar Way (No 11) and the surrounding area.

Reasons

3. No 11 is a detached house orientated at right angles to the public highway. No 11 has an open plan frontage comprising a drive and garden areas. No 11 shares an access with Nos 7 and 9, houses also with open plan frontages/gardens. Elgar Way and the various streets leading off it are characterised by houses with open plan front gardens or frontage areas. Front boundary demarcation, where it occurs, comprises hedging and/or shrub planting, with some occasional low level timber post and rail fencing.
4. The development would involve the construction of a brick wall, with railings and gates to enclose No 11's frontage. At their maximum the wall (excluding the copings) and railings would be 1.8 metres high, while the vehicular access gates would have a maximum height of 2.1 metres.
5. Given the open plan nature of No 11's frontage, I consider the introduction of the brick and railing enclosure would unacceptably harm the appearance of No 11's frontage. From what I saw of the frontages of Nos 7 to 11, there is no doubt they are private spaces. I therefore consider that installing walling or fencing is not needed to appreciate the distinction between No 11's private space and the public space. I am also of the view that the wall and railings would be a very obvious and unsympathetic addition to Elgar Way's streetscene, which would be detrimental to that scene, given the absence of frontage brick walls and/or railings.

6. Elgar Way and the other streets lying off it have a quite sinuous layout. That results in houses, including No 11, presenting side or rear garden boundary walls and fences to the roads and footways. However, those walls and fences form part of this housing estate's original design and provide privacy for the occupiers of the houses in question. I therefore consider that the presence of the various boundary walls and fences referred to in the appellant's appeal statement do not lend support to the enclosure of No 11's frontage. I saw that some railings have been installed around the front garden of 7 Walton Drive. However, I estimate those railings to be around one metre high and they are therefore not comparable with what is proposed for No 11.
7. I conclude that the development would have an unacceptable effect on the appearance of No 11 and the surrounding area. I therefore consider that the development would be contrary to Policies 32 and 33 of the Horsham District Planning Framework of 2015 (the HDPF). That is because the development would neither be of a high quality nor enhance the built environment, with it failing to integrate well with or be sympathetic to its surroundings. The Council's reason for refusal cites conflict with Policy 25 of the HDPF, however that policy addresses the safeguarding of the natural environment and landscape character and I consider it is not directly relevant to main issue I have identified.
8. As I have found that the development would be of an unacceptable appearance, I consider it does not gain support from the policies stated in the National Planning Policy Framework (the Framework), most particularly section 12 (Achieving well-designed places). That is because this development would not add to the overall quality of the area. I am therefore of the view that this proposal would not be a sustainable form of development for the purposes of the Framework.

Other matters

9. The highway authority has raised no objection. While that is a matter weighing for the development, I consider it to be outweighed by the harm I have identified.
10. I recognise that the development could improve the security for No 11's occupiers, following some incidents of crime in the area, including one affecting No 11. However, no evidence has been submitted indicating that the police and/or an insurer have recommended or required the installation of the proposed wall and railings. I am therefore not persuaded that the security concerns raised by the appellant warrant permission being given for a development I have found would have an unacceptable appearance.

Conclusion

11. For the reasons given above the appeal is dismissed.

Grahame Gould
INSPECTOR