

Appeal Decision

Site visit made on 24 October 2022

by S Edwards BA MA TCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2022

Appeal Ref: APP/L3815/W/22/3296239

Ashcroft Place, Bracklesham Lane, Bracklesham, Chichester PO20 7JE

- 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 Luke Ashcroft against the decision of Chichester District Council.
 - The application Ref EWB/21/03282/FUL, dated 22 November 2021, was refused by notice dated 14 January 2022.
 - The development proposed is described as "Proposed Vehicle Crossover. Means of access to a highway Class B".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Some of the works to enable the creation of a vehicular access have been carried out, and I have therefore considered this appeal on the basis that the development is part retrospective.
3. The appellant's Design and Access Statement describes the site as a horse field plot. However, in the absence of substantive evidence demonstrating otherwise, for example in the form of a Certificate of Lawfulness¹, it appears that the site has an agricultural use. The development which I am considering for the purposes of this appeal is not described in such a way as to encapsulate a proposed change of use. My consideration of this appeal is limited to what the appellant sought planning permission specifically for the development described on the application form.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

5. The appeal site lies within an area predominantly characterised by open fields either side of Bracklesham Lane, with mature hedging lining the road, which gives the locality a pleasant rural feel. The agricultural field which the site previously formed part of has been subdivided into several plots. This is particularly evident within the street scene, as the native hedgerow along the road frontage has been removed and replaced with timber post and rail

¹ Certificate of Lawfulness of an Existing Use under Section 191 of the Town and Country Planning Act 1990.

fencing, whilst vehicular accesses onto Bracklesham Lane have been created for the different plots. Side boundaries separating the plots take the form of timber post and rail fencing or suburban close board fencing.

6. The Council's submissions and representations made by the Parish Council have referred to the planning history for some of the neighbouring plots, which includes planning applications for the creation of new vehicular crossovers and accesses onto Bracklesham Lane, but also two dismissed appeals². I share the concerns which have been expressed regarding the piecemeal approach followed in respect of development proposals affecting the various plots, and the effect that this is having on the character and appearance of the area.
7. The access serving the appeal site has a timber gate, which is set back from the road frontage, and the entrance is currently covered with wood chipping. The harm caused by the works which have taken place following the removal of the native hedgerow would be exacerbated by the proposed use of tarmac for the vehicular access. This would give the access an unduly formal appearance, resulting in the creation of an urbanising form of development which would detract from its pleasant rural surroundings.
8. Given the above, the appeal development would cause unacceptable harm to the character and appearance of the surrounding area. It therefore conflicts with Policy 45 of the Chichester Local Plan: Key Policies 2014-2029, which notably seeks to ensure that the scale, siting, design and materials of development proposals to have minimal impact on the landscape and rural character of the area and Section 15 of the National Planning Policy Framework.

Planning Balance and Conclusion

9. A number of considerations have been brought to my attention in favour of the proposal, including the safety issues experienced by the appellant and his family to access the site, particularly in the absence of on road parking. However, in view of the harm that I have identified, the considerations advanced by the appellant do not persuade me to reach a different conclusion.
10. There are no material considerations, which indicate that the appeal should be determined other than in accordance with the development plan. For the foregoing reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR

² APP/L3815/W/20/3261808 and APP/L3815/D/22/3290812.