



Appeal Decision

Site visit made on 2 May 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2023

Appeal Ref: APP/Q3820/D/22/3294749
296 Ifield Drive, Ifield, Crawley RH11 0EP

- 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 Kishan Patel against the decision of Crawley Borough Council.
 - The application Ref CR/2021/0577/FUL, dated 29 July 2021, was refused by notice dated 15 December 2021.
 - The development proposed is the provision of vehicular crossover/dropped kerb following removal of front wall.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of development in the banner heading from the Council's decision notice and the appeal form, as it appropriately and succinctly describes the development.

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the local area; and (ii) the operation of the highway and parking provision.

Reasons

Character and appearance

3. The appeal site is a mid-terraced house in a curved row of properties on the west side of Ifield Drive. With a few exceptions, the small gardens in front of the terrace block are enclosed with various boundary treatments. The landscaped gardens and the fences, walls and hedges that separate the gardens from the public footpath along a consistent line, provides an attractive setting for the dwellings within the terraced row which contributes positively to the character and appearance of the area.
4. The appeal scheme would remove the existing brick wall along the front boundary of the appeal site to provide vehicular access to the area of hardstanding in front of the property. The removal of the boundary treatment and the parking of vehicles directly in front of the dwelling would dominate the front of the appeal property and would detract from the prevailing pattern of enclosed front gardens to the detriment of the character and appearance of the host property and the terraced row.

5. Whilst there are a small number of other gardens that have been altered to provide parking spaces in front of dwellings within the terraced row, these have not affected the positive contribution of the gardens overall and do not justify the harm I have identified.
6. Consequently, I conclude that the proposed development would harm the character and appearance of the local area. The proposal would be contrary to Policy CH3 of the Crawley Borough Local Plan 2015 - 2030 (2015) (Local Plan) which seeks high quality design and to ensure new developments relate sympathetically to their surroundings. It would also conflict with the Urban Design Supplementary Planning Document 2016 (SPD), where it seeks to ensure, amongst other matters, that all development responds to and reinforces locally distinctive patterns of development and landscape character.

The operation of the highway and parking provision

7. There is some dispute over the dimensions of the proposed parking space. The appellant suggests that were the front wall to be removed the required 4.8 metres could be provided. Nevertheless, the submitted plans show the full depth of the frontage as 4.2 metres. At a depth of 4.2 metres, parked vehicles would be likely to overhang the public footpath and would impede pedestrian movements including those with prams or using wheelchairs in an area where the appellant suggests that due to nearby schools there is a high footfall of pedestrians. Therefore, because of the limited parking depth indicated, the proposal would lead to pedestrians stepping off the footpath on to the public parking bay, which would hinder the free flow of pedestrian movements and would be detrimental to the operation of the highway.
8. The proposed dropped kerb would result in the loss of at least one parking space within the layby outside the appeal property. Policy IN7 only supports crossovers and hard standings where the proposal would not result in the unacceptable loss of public on street parking spaces. The policy text explains that crossovers can lead to the loss of on street parking, so it is important that the level of this impact is assessed.
9. In this case the Council are satisfied that the loss of parking would not lead to highway safety concerns but seek to ensure that designated residents and visitor public parking is maintained. Whilst the Council object to the loss of on street parking in principle there is no substantive evidence before me about the level of impact on current on-street parking provision. The appellant would need to apply for licence for the crossover and this is a matter for the Council, however, there is nothing before me that assesses the level of impact caused by the loss of the vehicle space and no basis to establish that the loss of the parking space is unacceptable. Therefore, I find no conflict with Policy IN7 in respect of parking provision.
10. Nevertheless, overall, I conclude that the inadequacy of the size of the parking space would be detrimental to the operation of the highway in conflict with Policy CH3 of the Local Plan where it sets out that developments should meet the requirements necessary for their proper use with regard to access, circulation and manoeuvring. It would also conflict with the SPD where it identifies the minimum size for the car parking spaces.

Other Matters

11. Whilst I note that the appellant has experienced some damage to his vehicle, that the car parking space could be used by delivery drivers and created with minimal disturbance due to the existing hard surface within the front area. These matters do not outweigh the harm I have identified.
12. The appellant states that there would be some private benefits associated with the attractiveness and value of the appeal property. However, planning is concerned with land use in the public interest.

Conclusion

13. For the above reasons, the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

J Wellstead

INSPECTOR