
Appeal Decision

Site visit made on 21 July 2023

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2023

Appeal Ref: APP/L3815/D/23/3323715

Pampas Cottage, Claypit Lane, Westhampnett, Chichester PO18 0NU

- 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 Kamil Krasoski against the decision of Chichester District Council.
 - The application Ref WH/22/02269/DOM, dated 5 September 2022, was refused by notice dated 27 March 2023.
 - The development proposed is a front boundary wall and gates.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the street scene.

Reasons

3. Following amendment during the course of the application, the proposal is for a 1.7 m high fence with hedge in front and 1.5 m high gates across the frontage of Pampas Cottage, a detached dormer style house with outbuildings set in a good-sized plot on the eastern side of Claypit Lane in Westhampnett.
4. The lane comprises a low-density residential neighbourhood that is semi-rural in character, with a line of bungalows and chalet bungalows set well back in their plots on the east side and an informal scatter of properties set within spacious well-treed grounds on the west.
5. Starting from Stane Street, the front boundaries along the lane consist of low stone walls with hedges behind, some taller walls and fences, hedges, and beyond the appeal property, low picket fences with and without hedges. With this variety in the area, the proposed 1.7 m high timber fence with hedge in front would not appear out of place provided the hedging was of suitable species. However, the lane is also characterised by the series of open drives leading to the individual properties, with in some cases low or five bar gates, albeit not closed at the time of the site visit. In this context the proposal for a wide timber vehicle gate, post box, pedestrian gate and fence panel, all 1.5 m tall and constructed of horizontal natural oak slats, would appear as a visually intrusive, unduly prominent and insensitive feature in the street scene. The result would be an overly hard, urban and defensive frontage in a predominantly informal, verdant country lane.

6. The appellant argues that the fallback position of being able to erect a lower height fence and gate should be taken into account but the increased height of the gate at 1.5 m would be significant and greatly increase the visual impact of the proposal. The large car park to the north is well screened from the lane and not readily apparent from the residential section further south.
7. For these reasons the proposal would significantly harm the character and appearance of the street scene contrary to Policy 48 of the Chichester Local Plan Key Policies 2014-29. This seeks to ensure development sensitively contributes to its setting and maintains the individual identity of settlements. Policy 33 is not relevant as it relates to new residential development and replacement dwellings.
8. It is suggested that refusal of the application would interfere with the appellant's right to a private and family life under the Human Rights Act. However, taking account of the fallback position any interference would be minor and both proportionate and necessary in the circumstances.

Conclusion

9. The proposal is put forward to enhance the privacy, wellbeing, security and safety of the appellant¹ but these benefits are significantly outweighed by the harm that would result to the character and appearance of the street scene.
10. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR

¹ The incidence of theft incidents in recent months/years are not quantified or their nature explained.