WORTHING BOROUGH COUNCIL

Online Drawing UK
BizHub Hull
208 Melton Court
Gibson Lane
Melton
HU143HH
United Kingdom

PLANNING REFUSAL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/0464/25

Details of Development
INSTALLATION OF MESH FENCE TO ENCLOSE FRONT GARDEN VARYING IN HEIGHT FROM 1.8 METRES TO 2.136 METRES

Location of Development
FLAT 2 SOUTHVIEW HOUSE 20 SOUTHVIEW GARDENS WORTHING WEST SUSSEX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they REFUSE to permit the above development, in accordance with the application and relevant correspondence registered on 14th April 2025.

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

G Peck

Gary Peck
Planning Services Manager
06/06/2025

Worthing Borough Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

SCHEDULE

Reasons for Refusal

01. The proposed wire mesh fence due to its height, design, materials and prominent position to the front of the property, represents a visually unappealing and intrusive addition to the frontage that would be entirely out of keeping with the low boundary treatments that are characteristic of the street-scene. The development would fail to respect the prevailing character of the area, achieve a high quality design or to make a positive contribution to the sense of place, local character and distinctiveness of the area, resulting in a discordant addition to the street scene that significantly detracts from the visual amenities of the locality. The proposal is therefore contrary to policy DM5 of the Worthing Local Plan and the National Planning Policy Framework.

02. The proposed wire mesh fence due to its height, appearance and enclosure of the front garden, is considered to significantly compromise outlook for the occupier/s of the ground floor flat (Flat 1, 20 Southview Gardens) and adjacent property (22 Southview Gardens), significantly detracting from the outlook from the front windows of these properties and representing an intrusive and unacceptable form of development. The proposal is therefore contrary to policy DM5 of the Worthing Local Plan and the National Planning Policy Framework.

Informatives / Notes to Applicant

01. For the avoidance of doubt this refusal relates to the following drawings/plans:-.

Reference/Drawing Number	Version	Date Rec
LOCATION PLAN	001C	14.04.2025
EXISTING & PROPOSED DETAILS	002C	14.04.2025

02. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. However, the issues are so fundamental to the proposal that it has not been possible to advise of potential amendments to the proposal that would mitigate the harm which has been clearly identified within the reason(s) for the refusal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

Appeals to the Secretary of State

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

2. If the decision relates to a householder application, and you want to appeal, then you must do so within 12 weeks of the date of this notice. If the decision relates to a non-householder application, an appeal must be lodged within 6 months of the date of the decision notice. Appeals can be made online at: https://www.gov.uk/appeal-householder-planning-decision. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

3. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

4. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements to the provisions of any development order and to any directions given under a development order.

5. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990.

7. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.

Reduced time for making a planning appeal where enforcement action is being taken

Where an enforcement notice has been served on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).