Expiry Date - 20/01/2025

Development Control – Delegated Officer Report

Application Number: AWDM/1466/24 **Recommendation – APPROVE**

Site: **19 Hythe Road Worthing West Sussex BN11 5DA**

Proposal: **Part retrospective planning application to retain and lower erected fence and trellis to a height of 1.73m high.**

Date of site visit: 13/01/25

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located to the east side of Hythe Road, on a bend in the road and to the north of the junction with Hythe Close and Hastings Road and occupies a wedge shaped plot. The surrounding area is residential in character. The property comprises a detached house with a tiled gambrel roof design and brick and render elevations. The property is set back from the road behind a paved driveway and low wall. High fencing has been erected to enclose the garden to the south side of the building. There is a smaller garden/patio area to the rear of the building.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

Proposal

Part retrospective planning permission is sought for retention and lowering of a fence and trellis to 1.73m high, positioned to the front and to the north side of the garden. The fence consists of five panels to the frontage (9.6m wide) and four and a half panels to the side (8.9m wide) constructed from timber close board with trellis panels above of approximately 0.3m high. The total combined height of the fence and trellis as erected is 2.02m. The application has been amended from its original submission which intended to retain the fence as constructed at 2.02m high, however, following officer advice that this would be refused an amendment has been submitted and it is now proposed to reduce the total height of the fence and trellis to 1.73m to match the height of the adjacent fence at the neighbour's property.

The fence was constructed on 20/09/24.

Relevant Planning History:

None relevant

Consultations:

WSCC Highways - This application seeks the retrospective installation of a 2.02m tongue and groove fence with trellis. The Application Form states that the proposed works were completed on 20/09/2024.

From inspection of the submitted plans, the proposed fence will be situated along the site's southwestern boundary, enclosing the garden, and replaces pre-existing hedging in this location. It does not appear that the fencing would adversely impact upon forward visibility for carriageway users, nor pedestrian visibility for those using the footway.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

Representations:

None received

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Planning Assessment

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area. The key considerations are the effects on the visual and residential amenities of the locality.

Visual Amenity

The installed fencing replaces the previous high evergreen boundary hedge of about 2.5m high. Unfortunately this hedge had died and therefore required removal. A replacement hedge would have been the preferred boundary treatment to the frontage however the applicant instead installed the fence to provide additional security.

The fencing that has been erected forwards of the house encloses the property frontage and at its current height of 2.02m creates a stark and solid boundary treatment that is out of character with the surrounding street scene. There are no other authorised examples of high boundary fencing to the property frontage in the surrounding area. The fence at the height erected is prominent in the street scene, due to its height and position at the front of the property and significantly detracts from the character of the area, forming a visually dominant

and imposing boundary adjacent to the pavement. For these reasons retention of the fence at a height of 2.02m was considered unacceptable.

The applicant provided examples of high fencing elsewhere in the area to support their application to retain the fence at its original height, however on further investigation these fences did not have the benefit of consent. These examples had either been in place for a period exceeding 10 years (and therefore exempt from any enforcement action), were replacing a boundary treatment of the same height, or had been erected more recently but without planning permission. Those requiring planning permission will be passed through to enforcement to investigate.

Negotiations to lower the fence were successful and the application has been amended to reduce the fence and trellis to a total height of 1.73m. The fence once lowered, would match the height of the adjacent wall and trellis to the property to the south at No.9 Hythe Close. Whilst the appearance of the fence is still stark, this will weather over time and once lowered this will become a less prominent feature in the street scene. The more open appearance of trellis in comparison to a solid fence of the same height is considered to further reduce the impact of the boundary treatment, whilst retaining privacy and security for the occupants.

The fence once lowered would still be higher than typically permitted to a front boundary however when viewed in context with the neighbouring wall and trellis, of the same height, and including the use of trellis to the upper section, the resulting harm is not considered to be significant in this instance. It should however be noted that this decision does not set a precedent for high fencing to be considered acceptable to front boundaries in general. The proposed fence is only considered acceptable in context with the higher boundary treatment to the neighbouring frontage, the significant reduction in height in comparison to the original construction and the open appearance of trellis to the top section.

Retention of the fence in this position subject to the proposed reduction in height to 1.73m, would not be considered to result in significant harm to the visual amenities of the street scene.

Residential Amenity

There would be no adverse impact on the residential amenities of adjacent occupiers as a result of retention of a lowered fence in this position.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers

2. The fence and trellis shall be reduced in height to a maximum of 1.73m in accordance with plan ref: Block Plan as Proposed (received 27/01/25)

within 3 calendar months from the date of this permission and shall be retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

3. The total combined height of the fence and trellis hereby permitted shall not exceed 1.73m high overall, measured from the ground level on which the fence is erected and shall be retained as such thereafter and at no time shall the trellis be replaced with solid fencing, unless otherwise agreed in writing by the Local Planning Authority.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Amanda Haslett Date: 10/02/25

Authorised by: Jo Morin Date: 11.02.2025