Appeal Decision

Site visit made on 18 May 2009

by Sheila Holden
BSc MSc CEng MICE MRTPI FIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Decision date:
28 May 2009

Appeal Ref: APP/M3835/A/09/2097196
2 Elm Bank Cottages, Durrington Hill, Worthing, West Sussex BN13 2PU

- 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 Miss Amanda Sheahan against the decision of Worthing Borough Council.
- The application Ref WB/08/0622/FULL, dated 8 June 2008, was refused by notice dated 8 September 2008.
- The development proposed is (1) – erecting 6' fence around the garden of the property and (2) – erecting a 12' by 6' wooden shiplap garden shed within the property's garden.

Procedural Matter

1. The application comprised two separate elements as set out in the above description. The Council raised no objection to the shed and I see no reason to take a different view. I have considered the appeal on the basis of these separate elements and have accordingly issued a split decision.

Decision

2. I dismiss the appeal in so far as it relates to the fence.

3. I allow the appeal in so far as it relates to the shed and grant planning permission for the erection of a 12' by 6' wooden shiplap garden shed within the property's garden at 2 Elm Bank Cottages, Durrington Hill, Worthing, West Sussex BN13 2PU in accordance with application Ref: WB/08/0622/FULL, dated 8 June 2008 and the plans submitted with subject to the condition that the development shall be begun before the expiration of three years from the date of this permission.

Main Issue

4. The main issue is whether the proposed fence would preserve or enhance the character or appearance of the Durrington Hill Conservation Area.

Reasons

5. 2 Elm Bank Cottages is located on a prominent corner site within the Durrington Hill Conservation Area. It is enclosed by a wall which is approximately 1m high which has flint detailing within the Durrington Hill frontage. There is also a significant amount of vegetation along the boundary which provides additional screening. The Conservation Area is characterised by residential dwellings set back from the road and well screened by vegetation. Boundary treatments are predominantly walls and hedges and these contribute

to the area's character, particularly through the use of locally distinctive materials, such as flint.

6. In this context the erection of a 1.8m close-boarded wooden fence would introduce an alien feature into the area which would be highly visible in this prominent position at the junction with Bramble Lane. I consider this would be the case even if much of the existing vegetation could be retained and/or pruned just enough to allow the fence to be erected. This would be in contrast to the existing fence surrounding *Honeywood* which appears to have been in situ for many years and is partially obscured from public view by ivy, other vegetation and the presence of a substantial tree within the curtilage of this property. In addition it seems to me that the apparently new fence alongside No 1 Bramble Lane has a harsh appearance and serves to illustrate the harmful effects that such features can have on the character of the area. No 2 Elm Bank Cottages is in a much more exposed position which would compound the difficulties associated with the introduction of a fence along its boundary.

7. I appreciate the appellant's desire to have privacy in her garden and to reduce the noise of traffic. I am also sympathetic to her need for improved security in view of the incursions on to her property that have occurred recently. However, these are insufficient reasons to allow the introduction of a feature that would be harmful to the character and appearance of the Conservation Area, particularly when there are alternative boundary treatments used elsewhere in the vicinity, such as walls and hedges, which could achieve the same objectives and be more compatible with the surroundings.

8. I therefore conclude that the erection of a fence would be harmful to the character and appearance of the Durrington Hill Conservation Area, contrary to saved Policies DEV1, CH1, CH4 of the West Sussex Structure Plan and saved Policies BE1 and BE25 of the Worthing Local Plan, all of which seek to ensure that development respects the distinctive characteristics of local areas especially within historic environments.

9. For this reason, and having regard to all other matters raised, I conclude that the appeal, in so far as it relates to the fence, should be dismissed.

Sheila Holden
INSPECTOR