Expiry Date - 17/06/2025

Development Management – Delegated Officer Report

Application Number: AWDM/0308/25 **Recommendation – APPROVE**

Site: **21 St Botolphs Road Worthing West Sussex BN11 4JS**

Proposal: **Retrospective planning application for replacement fence to South and part East boundaries plus raising the height of the wall on the corner of St Botolphs Road and Rugby Road**

Date of Site Visit: 14/1 (as for AWDM/1457/24)

Neighbours checked: Y

Additional neighbour notifications: N

Site, Surroundings and Proposal

The property comprises a large, double-fronted, detached, Victorian villa occupying a corner plot at the junction of St Botolphs Road and Rugby Road. It has stuccoed elevations under a slate roof and incorporates numerous character features including decorative mouldings, quoins, canted bay windows, and a portico entrance. The building has been enlarged on the south side by 2-storey and single-storey extensions and by a large single-storey extension to the rear.

The property has been in use as a day nursery (initially the G/F only) since the early 1990s and has expanded significantly since then, both in terms of additional floor area and the number of children, most recently under AWDM/1457/24 which allows up to 120 children.

The roadside frontages are enclosed by a traditional, brick-dressed, flint wall approximately 1m high. Until earlier this year there was a close-boarded timber fence (approximately 2m high) in place behind and above the wall on the south side wrapping around the SE corner of the property and extending along part of the frontage to enclose the south side garden. The wall has since been adapted with the original canted capping bricks removed and the wall raised in height by 3no additional brick courses and 2m high brick piers constructed at roughly 2m intervals along its length except around the SE corner (approximately 6m in length) where the wall has been raised in height in solid brickwork (approximately 2m high). Vertically boarded timber panels have been inserted between the brick piers fronting Rugby Road (south) and St Botolph's Road (west).

Permission is sought to retain the wall and fencing as built. The current application follows an enforcement investigation on under AWEN/0251/24.

St Botolph's Road comprises a wide, tree-lined residential road consisting of a mix of larger-scale Victorian/Edwardian buildings (many converted into flats)

and purpose-built low-rise modern flats. Rugby Road, also tree-lined, is made up of a mix of dwelling types, typically of a more domestic scale.

Relevant Planning History:

WB/08/0277/FULL: Proposed two storey side extension to existing nursery school. Permitted 07.05.2008.
Condition 4 limits the number of children at the premises to 65 at any one time.

AWDM/0185/19: Application to vary condition 4 of previously approved WB/08/0277/FULL to increase child capacity of day nursery from 65 to 90 children. Permitted 06.08.2019.
Condition 3 limits the number of child spaces provided in the premises as a whole at any one time to 90.
Condition 4 limits the maximum number of children using the garden at the premises at any one time to 44.

AWDM/1034/23 Proposed single-storey classroom extension to rear (West) elevation. Permitted 25.10.2023. Implemented.

AWDM/0396/24 Proposed entrance lobby to rear elevation. Permitted 21.06.2024. Implemented.

AWDM/1457/24 Application to vary condition 3 of planning permission AWDM/0185/19 to increase child capacity from 90 to 120 children in the premises as a whole at any one time [AWDM/0185/19: Application to vary condition 4 of planning permission WB/08/0277/FULL to increase child capacity of day nursery from 65 to 90 children.] Permitted 12.02.2025.

Consultations:

WSCC: The Local Highway Authority has raised no objection, commenting:-

"From inspection of the submitted plans the proposed fence has replaced pre-existing fencing along the south and east boundaries. The replacement fencing does not appear to obstruct visibility for vehicles or pedestrians. As such no concerns would be raised.

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 (paragraph 116) 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, DM8
National Planning Policy Framework (MHCLG 2024)

Expiry Date - 17/06/2025

National Planning Practice Guidance

Planning Assessment

Whilst LP policy DM8 supports the provision of improved community facilities, the key consideration here is the effect on visual amenity.

There are no adverse impacts on residential amenity or on highway safety.

Visual Amenity

The flint wall with red brick dressings (including canted capping bricks) constitutes a traditional form of boundary treatment consistent with the Victorian character of the original building. This type of low flint wall is a characteristic feature of this road and makes a positive contribution to local character and distinctiveness. In this case, the flint wall incorporates a post box on the curved SE corner of the property, encased within a brick ‘pier’.

The plain close-boarded construction and position of the former fencing behind the flint wall allowed the latter to be interpreted as the principal form of boundary treatment, maintaining a sense of visual continuity with the wider street scene.

The original flint wall has been retained but altered and added to (as described above). The post box remains in situ within its brick ‘pier’ incorporated as part of the solid brick wall on the SE corner.

Although no taller in overall height than before, the adapted wall/fence undoubtedly has a more assertive presence in the street. Its visual prominence is heightened by the somewhat awkward juxtaposition of the remaining part of the traditional flint wall and the inherently modern design/construction of the new wall/fence panels built directly on top of it.

That said, the property is not listed or within a conservation area.

The more sturdy construction of the adapted/new wall/fence can be linked to the use of the property as a children’s day nursery. The garden area used for external play directly adjoins the roadside boundaries of the property, and the need for a physically robust and secure means boundary treatment is acknowledged. Any consequential improvement in mitigating noise from the use of the garden can be welcomed given that such concerns have previously been raised by some local residents not least in connection with the recent application to increase the number of children at the nursery to up to 120 (AWDM/1457/24). It is of interest that no objections to the current retrospective application have been received.

On balance, whilst not an ideal outcome in visual terms, the appearance of the altered and new sections of boundary wall and fence panels as built is not considered so significantly harmful to the visual amenity of the area or detrimental to locally distinctive character as to warrant refusal.

Expiry Date - 17/06/2025

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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:	Jo Morin	Date: 22.07.2025
Authorised by:	Louise Prew	Date: 23/07/2025