St Rag

Appeal Decision

Site visit made on 10 November 2008

by S J Emerson BSc DipTP MRTPI

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:
26 November 2008

Appeal Ref: APP/M3835/A/08/2081416
12 Rose Walk, Worthing BN12 4AU.

- 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 Mrs Christine Newton against the decision of Worthing Borough Council.
- The application Ref WB/08/0393/FULL, dated 27 March 2008, was refused by notice dated 9 June 2008.
- The development proposed is the erection of a fence along the dwelling frontage, 2 m high - 1 section 23m long, 1 section 5m long.

Procedural Matter

1. The description of development refers to 2 sections of fencing - 23m long and 5m long. The submitted plans show these lengths either side of a gate along the main frontage of the house. The plans also show a 6m length of fencing along the western side frontage. I have included this element in my assessment. The photo-montage included with the plans shows a fence with wide panels, but I understand the proposal is for a conventional close-boarded fence and I have considered the proposal on that basis.

Decision

2. I dismiss the appeal.

Main issue

3. The main issue is the effect on the street scene.

Reasons

4. Rose Walk is a suburban residential street which turns a right angle. No 12 is a detached property on the inside corner of this right angle. The property has a wide frontage to Rose Walk on the southern side of its curtilage (much wider than frontages generally in Rose Walk) and a shorter boundary with Rose Walk on the western side. The main garden area of the property is between the house and the western side boundary with Rose Walk and I can appreciate the need for occupiers to have reasonable privacy in this area. At present, this side garden is enclosed by a thick, privet type, hedge. The proposal would replace this hedge along the southern frontage and a little less than half of the hedge on the western side. At the front of the house itself is a recently erected low fence with laurel bushes behind. The proposed fence would extend across this part of the frontage.

5. Frontages to properties in Rose Walk are generally defined by low walls, low fences or hedges/shrubs or a combination of these resulting in an attractive, well vegetated, but relatively open street scene. As a result of its solid design, height, length along the street frontage and prominent corner siting, the proposed fence would introduce an unduly harsh and dominant feature in the street scene which would erode its pleasant appearance. I saw that there are lengths of close boarded fencing at the corner properties where Rose Walk joins other roads, but my impression is that because of their particular siting, these fences are not as prominent as the appeal proposal would be. The appellant has highlighted a number of other fences in various surrounding roads. I saw most of these. My impression is that these are generally the exceptions to the predominant characteristic of frontages being defined by a mix of hedges/shrubs or low walls and low fences. The most comparable example to the appeal proposal is the 2m high fence at the corner of Gerard Road and Wallace Avenue. It is a prominent feature in the street scene, despite its harshness being offset somewhat by the tall trees within the garden of the property and trees in the footway. In my view, it is not an example to follow.

6. As a result of its adverse visual impact on the street scene the proposal would conflict with policy BE1 of the Worthing Local Plan 2003 which seeks to ensure that new development is compatible with or enhances the appearance of the locality. I have had regard to the particular family circumstances highlighted by the appellant and can understand their need for security and reasonable privacy in their garden, but I consider that the proposal is not the only means by which these could be achieved and these circumstances do not outweigh the harm and conflict with policy.

Simon Emerson

INSPECTOR