
Appeal Decision

Site visit made on 15 May 2017

by C Thorby MRTPI IHBC

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

Decision date: 12 June 2017

Appeal Ref: APP/L3815/W/16/3167422

Thornham House, Prinsted Lane, Prinsted, Southbourne, PO10 8HS

- 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 Mr Michael Wrennall against the decision of Chichester District Council.
 - The application Ref SB/16/00757, dated 29 February 2016, was refused by notice dated 28 September 2016.
 - The development proposed is changes to boundary of the property and the erection of a tennis court.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a tennis court at Thornham House, Prinsted Lane, Prinsted, Southbourne, PO10 8HS in accordance with the terms of the application, Ref SB/16/00757, dated 29 February 2016.

Reasons

2. The tennis court and fencing have already been erected. The main issue is the effect on the character and appearance of the area, having regard to the Chichester Harbour Area of Natural Beauty (AONB).
3. The appeal site comprises a large, recently rebuilt house with a tapering rear garden area. It sits in a substantial plot of mostly open land leading to the Harbour's edge, which forms an important part of the rural landscape setting of Chichester Harbour and, therefore, an intrinsic part of the AONB. The tennis court has been erected partly in the tapering rear garden area and partly in an informally planted area, which, although not agricultural, appears to be countryside.
4. A section of the tennis court sits behind a high evergreen hedge, which has been extended along the boundary to provide screening. Planning permission has been granted for a tennis court partially in this location and the effect in the existing garden section would not be dissimilar. There has been a change in character to a section of part of the appeal site from an informally planted area with to a domestic garden, with a different boundary. However, regardless of the tennis court, the appeal property, garden and high hedge exert a strong domestic character over the lower part of the garden which is relatively narrow and tapering. Moreover, this area is severed from the open, flat, coastal plain adjoining the harbour by Prinsted Lane and does not appear as part of the open countryside. Therefore, the effect on the character and

appearance of the appeal site and that of the wider plot as a whole is very minimal. The sense of a house and domestic garden sitting within a large open and rural plot is relatively unaltered and views from the harbour remain as looking towards a large, natural area, beyond which scattered houses and domestic gardens can occasionally be seen. In this respect, there is no harm to the landscape setting of Chichester Harbour.

5. Prinsted Lane, a public right of way, runs through the plot alongside the tapering garden area. Walking along the lane towards Thornham Lane the high evergreen hedge blocks most of the tennis court from view. Walking the other way there is a clear view of the tennis court and the change in character is noticeable. However, newly planted trees and a boundary hedge will, over time, soften the views of the court and fencing. Moreover, the open coastal plain and views over the harbour remain unchanged from the path and appeal scheme is not harmful to the beauty of the landscape experienced from the path. The approved tennis court would have brought noise and activity to the similar part of the garden and, although the hedge across the gardens has been removed, the effect in this respect would not be much different.
6. The scheme would comply with the aim of Chichester District Local Plan: Key Policies (2014 - 2029)(LP) policy 43 and policy 7 of the Southbourne Parish Neighbourhood Plan which seek to protect local character, including conservation and enhancement of the AONB. It would not be harmful to the environment or contrary to any of the objectives or policies of the National Planning Policy Framework which seeks to promote sustainable development. As LP policies 1, 2 and 45 specifically seek sustainable development there would be no conflict with the aims of these policies.
7. *Other Matters.* The tapering garden and separation of the site from the open countryside in this case, differs to the circumstances of the two other appeal decisions referred to where the land either related in character to the coastal plain or was part of an important gap of open land. Regardless of a different location of the tennis court, together with the rebuilt house, the cumulative effect of development would be similar to the previously approved scheme. The passing bay appears to be outside the appeal site and not part of the scheme before me. There are very specific circumstances in this case, and it would not set a precedent. No conditions are necessary as the scheme has been implemented.
8. *Conclusion.* For the reasons given, the appeal is allowed.

Christine Thorby

INSPECTOR