



Appeal Decision

Site visit made on 2 July 2019

by Jonathon Parsons MSc BSc DipTP (Cert Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/U1430/D/19/3229978

Silverden Manor, Church Lane, Northiam, Rye, East Sussex TN31 6NW

- 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 Jon Hadder against the decision of Rother District Council.
 - The application Ref RR/2019/201/P, dated 31 January 2019, was refused by notice dated 3 May 2019.
 - The development proposed is the replacement of rotted post and rail fencing and fence panels forming part of the boundary to the fencing to the curtilage of the Silverden Manor with a new tongue and groove fencing.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, with particular reference to the High Weald Area of Outstanding Natural Beauty (AONB) and the setting of Silverden Manor, a grade 2 listed building.

Reasons

3. Silverden Manor is an L-shaped timber-framed building located adjacent to a neighbouring dwelling known as Silverden Oast. They are located within the countryside beyond the built-up area of Northiam. This part of Church Lane comprises sporadic located dwellings surrounded by fields and paddocks, with hedges and woodland. It is distinctly rural and located within the High Weald AONB. The National Planning Policy Framework (NPPF) states great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs.
4. By reason of the undulating topography of the area, the appeal site is raised above Church Lane, especially where the road dips down in the direction of the neighbouring dwelling. There is also a downward slope through the appeal site to the rear. All of this has the effect of making the dwelling at Silverden Manor prominent in views along Church Lane.
5. The car parking/turning area serving it, projects beyond the side of a detached cart lodge into the neighbour's garden. By reason of this, the proposed fence would have a dog-leg configuration with a shorter length of approximately 4m in length and a longer length of approximately 8.6m, flanking and backing onto the neighbour's garden respectively. Close to the road, the existing fence is

rotten, approximately 1m in height and is in an elevated position due to the topography. In the location of the longer stretch of fencing, there is a line of cropped conifer hedging, much of which is in a dying/diseased state. The proposal would result in the tongue and groove fencing of approximately 1m in height along the shorter length and 2m along the longer length.

6. When the appeal site is approached from the south along Church Lane, views of the fencing would be largely obscured by frontage vegetation. However, the existing vehicular access allows views through to the longer stretch of fencing that backs onto the neighbour's garden. The fencing would not be appreciably higher than the adjacent conifer hedging. However, its extensive flat vertical qualities would give rise to a hard and imposing built-up boundary especially adjacent to a hard surfaced area. The tongue and groove fence construction would also generally give rise to a flatter and more manufactured profiled surface which would emphasise the visual harshness of the proposed boundary treatment in this rural location.
7. In the other direction along Church Lane, the shorter stretch of fencing would be of the same height as the existing but its flatter and more manufactured appearance would particularly stand out due to its elevation above the road and neighbour's garden. As a result of this design, it would be unsympathetic to its rural surroundings. In the foreground, the existence of the neighbour's cropped conifer hedge and ranch style fencing would do little to ameliorate such an adverse effect.
8. For all these reasons, the height and design of the fencing would be harmful to the character and appearance of this rural area in an AONB. Accordingly, the proposal would be contrary to policy HG8 of the Rother Local Plan 2006, policies OSS4, EN1, EN2, EN3, RA1 and RA2 of the Rother Local Plan Core Strategy 2014 and policies DHG11, DEN1 and DEN2 of the Development and Site Allocations Local Plan October 2018. Only those policies relevant to this issue have been detailed above.
9. Silverden Manor dates back to the 15th century and has been extended and altered since. Nevertheless, its original build, timber casement windows, externally exposed timber frame and plaster finish, and a thatched roof are of architectural and historic interest. They inform the special interest and significance of the building. By reason of its location, the countryside surrounding the listed building forms a key part of its setting and how the building is appreciated.
10. There are no views of the fencing against the backdrop of the listed building when approaching from the south or through the site's entrance. In the other direction, the shorter stretch of fencing would be seen against the backdrop of the listed building. The height would result in the partial blocking of views of a lower gable and a lower section of the thatched roof of the building. However, this effect would be negligible especially as it is only evident in views close to the fence on a limited section of Church Lane. Both sections of fence would also be located some distance from the listed building itself. There are other dimensions to listed building setting than visual but none have been brought to my attention and none stand out in assessing the listed building on the site. For these reasons, the setting of the listed building would not be affected.
11. There are local listed properties where new fencing has been used, including tongue and groove or shiplap timber boarding. At Brickwall in Northiam, a

grade 1 listed property, a close boarded fence has been used along the A28 Hastings Road. In Church Lane, Church House and a barn, Grade 2* and Grade 2 listed respectively, solid timber entrance feature was permitted in place of existing 5 bar gate. However, the full circumstances setting out the reasons for their acceptability are not before me and the developments are different to the appeal proposal in their nature, location and context. This serves to demonstrate that every proposal has to be considered on its own particular planning merits which has been done here.

12. The new fence would partially screen some solar panels on the neighbouring dwelling. It has also been indicated that any alternative new hedge would require the reduction in the size of the vehicle parking area where it is in the vicinity of the longer stretch of fencing. Nevertheless, the adverse impact of the fencing would be significant for the reasons indicated and this harm would be long standing in an AONB location. Accordingly, such considerations would not override my findings.

Conclusion

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR