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## Appeal Decision

Site visit made on 16 June 2020

**by D.R McCreery MA BA (Hons) MRTPI**

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

**Decision date: 24 June 2020**

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**Appeal Ref: APP/M3835/D/20/3244248**

**10 Victoria Park Gardens, Worthing BN11 4DS**

- 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 Toby Young against the decision of Worthing Borough Council.
  - The application Ref AWDM/1555/19, dated 2 October 2019, was refused by notice dated 26 November 2019.
  - The development proposed is installation of a sloping trellis to a height of 1.75 metres on east boundary to front elevation.
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### Decision

1. The appeal is allowed and planning permission is granted for the installation of a sloping trellis to a height of 1.75 metres on the east boundary to the front elevation at 10 Victoria Park Gardens, Worthing, BN11 4DS, in accordance with the terms of the application Ref AWDM/1555/19, dated 2 October 2019, subject to the following condition :
  - 1) Planning permission hereby granted relates solely to the installation of a sloping trellis on the east boundary to the front as shown on the plans and other details submitted on 2 October 2019, including the plans 'north elevation plan 01' and 'elevation plan'.

### Procedural Matters

2. The trellis shown on the submitted plans has been erected.
3. There appears to be some disagreement between the main parties over whether the structure that has been erected constitutes a fence or a trellis. This is not a matter of significance in order to make a decision on this appeal. However, for ease of reference I refer to it as a trellis as this is the term adopted by the appellant.

### Main Issue

4. The main issue is the effect of the trellis on the character and appearance of the host dwelling and the surrounding area.

### Reasons

5. The appeal property is a 2 storey house that sits towards the end of a terrace of properties said to have been constructed in the 1970s. It is within a small residential development built at a similar time that includes both short terraces of houses and larger flat blocks.

6. Houses on the terrace have relatively generous front gardens, which provide a setback from the public footway to the front that contribute to the open and spacious character of the area.
7. The layout, form, and scale of the dwellings on the terrace are similar. However, there is variation in terms of the appearance of the houses (including porches) and landscaping to the fronts. This variation provides visual interest which contributes to the wider character of the area. In this regard, a high degree uniformity is not a defining nor particularly important characteristic of the immediate area. Given the age of the development, it is also reasonable to expect that over time some change has occurred as occupiers adapt their homes to meet changing needs.
8. The trellis has been suitably positioned to give definition to the property boundary on the side. It is of a form and scale that does not look out of place, either in relation to the host property or when viewed from surrounding public spaces. The height of the trellis reduces as it extends away from the host property and it is setback from the front boundary, which further ensures that it is of a suitable scale and of an appearance that does not provide a significant level of enclosure that could erode the open character of the area. The timber materials used to construct the trellis are also consistent with what might generally be expected in a residential garden.
9. Overall, the trellis presents an appearance that provides a suitable and modest level of variation to the front garden areas that gives them visual interest, vibrancy, and contributes to the residential character of the area. I do not agree with the Council's assessment, in particular that the trellis is an intrusive feature that is detrimental to the streetscape. As each proposal must be considered on its own merits, I also do not agree that the trellis sets an unwelcome precedent for other development that might cumulatively be harmful (including sheds in front gardens).
10. For the reasons set out above, I conclude that the trellis does not have a harmful effect on the character and appearance of the host dwelling and the surrounding area. Consequently, I do not find conflict with policies in the Local Plan that seeks to ensure that development achieves a high standard of design, in particular saved Policy H16 of the Worthing Local Plan and Policy 16 of the Worthing Core Strategy.

### **Other Matters**

11. Interested party representations are noted and mostly relate to the Council's reason for refusal which is discussed above.

### **Conditions**

12. I have included a condition that indicates the details that form part of the planning permission in the interests of certainty.

### **Conclusion**

13. For the above reasons the appeal is allowed.

*D.R. McCreery*

INSPECTOR