



Appeal Decision

Site visit made on 6 July 2020

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2020

Appeal Ref: APP/L3815/D/19/3239605

'Birches', 1 The Hermitage, North Mundham PO20 1LE

- 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 Miss Goreti Gananca against the decision of Chichester District Council.
 - The application Ref NM/19/01838/DOM, dated 16 July 2019, was refused by notice dated 23 September 2019.
 - The development proposed is to remove a hedge (8' high and 6' deep) and replace with a 6' wooden fence.
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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.

Reasons

3. The appeal site is a corner plot property located in an established residential area of one and two-storey brick and tile dwellings at the junction with the cul-de sacs of 'The Hermitage' and Hermitage Close. The area is typified by hedges, low walled boundaries and open frontages that help to create a sense of spaciousness. No 1 'The Hermitage' has a side access to the main building, a side extension with an integrated garage, parking area and a narrow garden to the front and side.
4. The development has been completed, and retrospective planning is now sought for an approximately 1.8m high close-boarded fence adjacent the footpath to the front and side of the host dwelling that would replace a relatively low hedge similar to others seen in the nearby area. Nonetheless, the appellant contends that the development does not need to accord with the 'predominant' boundary treatments in the immediate surrounding area. To the contrary, notwithstanding that the already weathered fence does not enclose the access to No 1, and whether the positioning of No 1 is an acceptable form of development or not, the scale, height and solid appearance of the fence, in comparison to the former hedge, is incongruous with the immediate prevailing street-scene, which is characterised by modest and 'green' boundary treatments that help to soften the built environment.

5. I acknowledge that there are a number of fenced boundary treatments in the surrounding streets and roads, which the appellant forwards as a very common style, including visible examples seen along Hermitage Close, Post Office Lane and Church Road. However, where fencing has been found to be acceptable, such as that at No 5 'The Hermitage'¹, it is located to the rear boundary or faces a main highway. Moreover, the development can be seen from both directions within the cul-de sacs and is immediately apparent when turning into Hermitage Close from Post Office Lane. Consequently, the scale and mass of the development is overly prominent and appears out of place on this specific corner plot location.
6. Therefore, I conclude that the proposal would harm the character and appearance of the area, and while there is minimal relevance to be drawn from Policy 33 (New Residential Development) of the Chichester Local Plan (2014-2019), which refers to residential development, the proposal does not meet the aim of Paragraph 127 of the *National Planning Policy Framework* which requires that proposals are sympathetic to local character and history, including the surrounding built environment.

Other Matters

7. I noted at my site visit that the traffic flow within 'The Hermitage' and near to the junction with Hermitage Close is infrequent. As such, the development, despite being 1.8m in height is unlikely to harm highway safety, and my opinion is reinforced by the findings of the local Highways Authority, West Sussex County Council.
8. Given my findings above, and the limited evidence before me in this respect, I have not considered whether the development is contrary to the original planning consent or subject to any legal covenant or not, as brought to my attention by interested parties, including North Mundham District Council.
9. I acknowledge there is an absence of a rear garden to the appeal dwelling, and that the appellant seeks to potentially reduce maintenance costs through the removal of the hedge while still retaining the privacy within her side facing garden space. Nonetheless, this does not outweigh the harm I have found to the character and appearance of the area.
10. I note an appeal decision submitted by the appellant regarding a fence in the District of Waveney.² However, the development is located in another local authority, and I have little detail of that case before me. Therefore, I attribute this minimal weight, and have considered the matter before me on its own planning merits.

Conclusions

11. For the reasons given above, I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR

¹ 15/03190/DOM

² APP/T3535/D/19/3230348