



Appeal Decision

Site visit made on 11 December 2020

by Alex Hutson MRTPI CMLI MArborA

an Inspector appointed by the Secretary of State

Decision date: 22 December 2020

Appeal Ref: APP/M3835/D/20/3261530

1 Muirfield Close, Durrington, Worthing BN13 2LZ

- 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 Stuart Tizzard against the decision of Worthing Borough Council.
 - The application Ref AWD/0669/20, dated 27 April 2020, was refused by notice dated 14 August 2020.
 - The development proposed is 'Perimeter fencing'.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application was made in retrospect and I observed that timber fencing has been erected at the appeal property, including around its boundaries which front Muirfield Road and Muirfield Close. Some timber gates across the drive and across a pedestrian access have also been erected. I understand that some of this development was undertaken in 2017 and some in 2020. The submitted elevations plans show the fencing and pedestrian gate. However, whilst they make written reference to the gates across the driveway, these do not appear to be shown on the submitted elevation plans. In addition, whilst some heights are annotated on the submitted elevation plans, they identify two different scales, '1:50' and '1000mm = 10mm', and do not specify the paper size at which these scales should be read. These discrepancies cast doubt over the accuracy of the submitted plans and whether the application, and thus the appeal, relates to all the boundary treatment fronting Muirfield Road and Muirfield Close which has been erected. Nevertheless, I have considered the appeal on the basis of a combination of relevant details shown on the submitted plans and my own observations of the boundary treatment erected.

Main issues

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is a detached bungalow located on the corner of Muirfield Road and Muirfield Close. Its garden area primarily comprises areas of lawn to its front and side, abutting the public highway. The surrounding area is

residential in character. Dwellings in the locality typically display low-key front boundary treatment, including low brick walls. Such boundary treatment is a characteristic feature of the area and affords a spatial quality to the street scene. Prior to the erection of the fencing around the frontage of the appeal property, the front boundary treatment comprised a low brick wall. Accordingly, this would have been consistent with, and would have contributed positively to, the character and appearance of the area.

5. The fencing and gates which have been erected around the frontage of the appeal property are considerably in excess of the height of the frontage boundary treatment which is characteristic of the locality. Given this, the development, as a whole, appears unduly dominant and visually intrusive and at considerable odds with the prevailing pattern of development in the locality. Moreover, it substantially erodes the spatial quality of the street scene. Consequently, it gives rise to significant harm to the character and appearance of the area.
6. I note that the Council considers the section of fencing which fronts Muirfield Close between the pedestrian access and drive, along with the gates over the driveway, to be acceptable. I have no substantive reasons to take a different view. However, I have considered the development as a whole and to formalise these elements of it would require a further application to the Council, along with relevant and accurate plans.
7. The appellant suggests that there are other properties within a mile radius of the appeal property which have high front boundary fencing. Nonetheless, detailed information relating to these properties has not been provided and, in any event, each case should be considered on its own merits. Furthermore, I have found that it is low-key front boundary treatment which provides the pertinent context along Muirfield Road and Muirfield Close.
8. In light of the above, I consider the development to be contrary to Policy 16 of the Worthing Borough Council Core Strategy 2011 and to saved Policy H16 of the Worthing Local Plan 2003. These policies require, amongst other things, development to respond positively to local character and to relate to the predominant characteristics of an area. In addition, I consider it to be contrary to the aims and objectives of the National Planning Policy Framework, which seek to ensure that developments are sympathetic to local character and establish or maintain a strong sense of place.

Other matters

9. The appellant contends that the development as a whole is required for privacy purposes and to provide useable and secure amenity space, particularly given that a young child and some animals live at the appeal property. However, it is my view that, on its own, the part of the development to which the Council raises no objections provides a generous amount of private and secure amenity space and it is likely that this could be formalised by a further planning application. Additionally, though the front room of the appellant's property is a bedroom, it is likely that this, and any privacy matters associated with it, would have been a consideration when the appellant chose to occupy the property. In addition, there are likely to be other ways in which to improve the privacy of this room which the appellant could explore if necessary. Therefore, these matters are insufficient to outweigh the harm I have found and do not justify a planning permission.

Conclusion

10. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR