



Appeal Decision

Site visit made on 2 September 2022

by C Shearing BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th September 2022

Appeal Ref: APP/M3835/D/21/3267265

44 Charmandean Road, Broadwater, Worthing BN14 9NA

- 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 Dr Courtney Burtenshaw against the decision of Worthing Borough Council.
 - The application Ref AWDM/1275/20, dated 10 August 2020, was refused by notice dated 21 October 2020.
 - The development proposed is new boundary fence to replace a mix of boundary wall and previous fence panels.
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Decision

1. The appeal is allowed and planning permission is granted for a new boundary fence to replace a mix of boundary wall and previous fence panels at 44 Charmandean Road, Broadwater, Worthing BN14 9NA in accordance with the terms of the application, Ref AWDM/1275/20, dated 10 August 2020, and the plans submitted with it.

Preliminary Matters

2. The description of development in the banner heading above is taken from the planning application form. I have used only part of the description as this more concisely describes the development, and I have removed reference to the application being retrospective, as this is not a description of development.
3. I observed at the time of my site visit that the development has been carried out and the fencing is in situ.

Main Issue

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

Reasons

5. The appeal site lies in a predominantly residential area comprising groups of properties of varied character and design. The properties generally have generous sized front gardens characterised in part by soft landscaping, which contribute to the verdant character of the area. Boundary treatments in the area are similarly varied. There are a number of low brick walls which contribute positively to the character of the area and allow visibility from the street to the front gardens. However, there are many boundaries in the vicinity of the site characterised by close board timber fencing, including on corner plots. In many cases this is limited to one side of the plot or behind a retained

brick wall, however, there are occasions where such fencing wraps around the corner of the plot, for example nearby at 45 Charmandean Road.

6. Given the varied nature of boundary treatments in the area surrounding the appeal site, and the presence of other close board fences at the edge of the footpath, the fence that is the subject of this appeal does not appear incongruous or out of character with the street scene. The associated fence posts are also similar to others found in the area and by reason of their colour, height and profile, are not a visually prominent element of the fence. Furthermore, the height of the new boundary allows parts of the soft landscaping within the garden behind to emerge over the top of the fencing, softening its appearance and helping it to integrate further with the character of the area.
7. Due to the curve of the road and the corner position of the appeal site, the boundary treatment is visible in longer views when approaching the site from the west. However, for the above reasons, I do not find the fencing to be visually prominent in those views nor detract from the established local character.
8. While the Council state that some of the fencing in the surrounding area has existed for a long period of time, and others may not have benefited from planning permission, they do, nonetheless, form a part of the character of the area in which the appeal site lies.
9. For the reasons given, I find the fencing does not cause harm to the character or appearance of the area or the street scene of which it forms a part. Consequently, it is compliant with saved Policy H16 of the Worthing Local Plan 2003 which provides criteria for alterations to dwellings including that their design should be satisfactory in relation to any predominant characteristics of the area. The development also complies with Policy 16 of the Core Strategy 2011 which, among other things, requires good design which takes account of local physical characteristics. The development also adheres to the design objectives set out in the National Planning Policy Framework.

Conditions

10. As the development is in situ, I do not find that any conditions would be necessary.

Conclusion

11. Overall the development complies with the development plan as a whole and the appeal is allowed.

C Shearing

INSPECTOR