



Appeal Decision

Site visit made on 12 June 2023

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th June 2023

Appeal Ref: APP/B1415/W/22/3310986

58 Sheerwater Crescent, Hastings TN34 2NZ

- 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 Mrs Shellie Barnes against the decision of Hastings Borough Council.
 - The application Ref: HS/FA/22/00665, dated 15 September 2022, was refused by notice dated 28 October 2022.
 - The development proposed was described as 'to remove garden wall which is has become unstable and replace with lattice fences further out on surrounding land, in turn increasing size of garden and extending already existing driveway to accommodate 2 cars'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed fence on the character and appearance of the area.

Reasons

3. No.58 Sheerwater Crescent is a 1960's detached house on a corner plot, orientated side on to Parkstone Road. It is in a mainly open-plan residential estate of mostly similar houses generally set back from roads in a spacious, landscaped layout. The open front lawn of No.58 wraps around the side of this house and along the outside of a rear garden side wall, extending to the back edge of the pavement parallel with Parkstone Road. In essence a long, wide grass verge which makes a positive contribution to the distinctive character and appearance of the area.
4. Albeit in-line with the front elevation of No.58, the high (1.8m) fence would jut out a significant distance to one side towards Parkstone Road. It would then run close along the back edge of the pavement with a short section at the end angled back. Despite a top trellis and that it would be lower than the wall, the abrupt, hard edge of the fence positioned further out would enclose most of the verge and remove it from public appreciation. It would also stand forward of the building line formed by the side elevation of No.58 and the garden wall, which are broadly arranged level with the front of houses to the north and south, and break the continuity of this swathe of open land and front gardens.
5. It would, therefore, significantly narrow the width and extent of the landscaped road corridor edge along this section of Parkstone Road and unduly erode

spaciousness, at odds with the prevailing pattern and sequence of development and detract from the open plan feel to the area. Moreover, the height, siting and alignment of the fence would jar in the streetscene; overly conspicuous and intrusive in short and longer distance public views in both directions from Parkstone Road and, in part, from within Sheerwater Crescent.

6. Some lower fences in Sheerwater Crescent divide a short length of adjacent front gardens next to houses. Taller fences on corner plots line narrow internal estate driveways to rear garage or parking courts. Neither instance is overly prominent in this residential side road, whereas Parkstone Road is a relatively busy local distributor road with more eminence due to passing vehicles and people. In contrast to fences and walls, high hedges in this road do not detract from the verdant road edge, including because a significant depth of grass verge is maintained. A rear garden side fence on a corner plot at the distant southern end of this road is in a distinctly different part of this road and has no visual association with No.58. These examples are not, therefore, directly comparable. No details have been given for local house extensions.
7. Taking all the above into account, I find that the proposed fence would cause material harm to the character and appearance of the area. Consequently, it is contrary to Policy DM1 of the Hastings Development Management Plan September 2015. This policy includes that development must have regard to local character, street patterns, plot layouts and boundaries and in height, scale and form be appropriate to the location considering visual impact.

Other Matters

8. The garden wall is unstable and a side lounge window in No.58 opens directly over part of the verge. There is no apparent reason why the fence is necessary to remedy this fault with the wall. Nor is there any evidence that it is the only way to deter the public from entering the verge or to make the window more secure so it can be safely opened. The appellant would make good use of the enlarged garden enclosed by the fence, including as a vegetable patch to help with the cost of living.
9. The National Planning Policy Framework (the Framework) contains objectives for effective use of land and safe places so that crime, and the fear of crime, do not undermine quality of life or well-being with a high standard of amenity for existing users. But it also seeks to ensure that development adds to the overall quality of an area and is sympathetic to local character, including the surrounding built environment and landscape setting. Additionally, it should maintain a strong sense of place, including by the arrangement of streets and spaces to create attractive, welcoming and distinctive places to live.
10. As these private preferences would endure for the duration of the appellant's occupation of No.58 these benefits have little weight in this appeal. There were no local resident objections but this does not mean absence of adverse impact and the fence must also be considered in the wider public interest.

Planning Balance and Conclusion

11. The proposed fence does not accord with the development plan taken as a whole. There are no other material considerations, including the provisions of the Framework, to indicate that the decision should not be made otherwise than in accordance with the development plan.

12. Consequently, for the reasons given above the fence is unacceptable and the appeal does not therefore succeed.

Robin Buchanan

INSPECTOR