



Appeal Decision

Site visit made on 2 October 2023

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 16 October 2023

Appeal Ref: APP/C3810/D/23/3326790

2A Stroud Green Drive, Bersted, West Sussex PO21 5SY

- 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 Molly Robinson against the decision of Arun District Council.
- The application Ref BE/30/23/HH, dated 21 March 2023, was refused by notice dated 26 May 2023.
- The development proposed is "We would like planning permission to erect a fence higher than 1.3M on our boundary. Would would like to fence to be up to 2M (Most likely 1.8M). This fence line is parallel to Chalcraft Lane and curves round into Stroud Green Drive."

Decision

1. The appeal is dismissed.

Reasons

2. The main issue is the effect that the proposed development would have on the character and appearance of the surrounding area.
3. The appeal site includes the roughly L-plan bungalow and its gardens, which are situated on the roughly south corner where Stroud Green Drive meets Chalcraft Lane. The back garden in the south part of the site is similar in size to the back gardens of most nearby terraced dwellings in Stroud Green Drive and Chalcraft Lane, and it is separated from the side garden by a tall fence. A low to mid height fence by the pavement in Stroud Green Drive encloses part of the front garden excluding the drive, and it includes a short return near the pavement in Chalcraft Lane in the north corner of the site. The far end of the side garden, which is as deep as the back garden, is retained by a few courses of brickwork. In keeping with most of the nearby deeper mainly open front gardens to the dwellings in The Hollies to roughly south west, the side garden at the site is largely open to Chalcraft Lane.
4. The street scene in the nearby part of Chalcraft Lane is mainly characterised by the openness and greenery on both sides of the road. There are other parts that include tall boundary treatments, but they mostly occur where the back gardens of dwellings reached from other streets end or run parallel to Chalcraft Lane, and most are set well back from the road. Most front and side spaces in Stroud Green Drive, and other nearby streets including Birdham Close and Frandor Road are open plan, so although there are a few low fences between plots, most front and side gardens are open. So, whilst the existing fence in the front garden at the site is at odds with its surroundings, the existing openness in the front and side gardens on this prominent corner contributes positively to the local spacious character, and to the sense of place.

5. The proposed fence would be sited by the pavements in Stroud Green Drive and Chalcraft Lane, and it would enclose all of the side garden and almost all of the front garden but not the drive. Due to its height, considerable length, siting, and stark form, the proposal would be an unacceptably dominant and incongruous feature that would harmfully erode the local spacious character.
6. As the existing dwelling is set well back from both roads, as bungalows with street facing bedroom windows are not unusual, and as the side of the existing back garden facing Chalcraft Lane is enclosed by tall fencing, little weight can be attached to the appellant's concerns about privacy and security. Other boundary treatments referred to by the appellant include the backs of garages reached from Burchett Walk, which are set well back from Chalcraft Lane by mostly wide grass verges and the pavement, and the fences at '41 Chalcraft Lane' (which includes the dwelling at 61 Bedford Avenue) and 54 Chalcraft Lane, which are in a different part of the road where the character differs, so their circumstances differ from those of the proposal before me. As the fence by the garage at 1 Stroud Green Drive is much shorter than the proposal and lower than its garage wall, and as the wall with trellis above encloses the side of its back garden, which is higher than and set away from Chalcraft Lane, they provide little support for this damaging proposal.
7. Suggested changes to the proposal include keeping the fence by Stroud Green Drive at its present height, changing the fences by both roads to a 1.5 m high fence with a trellis on top, and setting the fences back to leave a green or flower planted buffer. However, such measures, individually or cumulatively, would not outweigh the harm that the proposal would cause to the street scenes in Stroud Green Drive and Chalcraft Lane, and to the sense of place. As fairly little of the fence permitted in about 2009 under different development plan policy appears to exist, it attracts minimal weight.
8. Therefore, I consider that the proposed development would harm the character and appearance of the surrounding area. It would be contrary to Policy D DM1 of the Arun Local Plan 2011-2031 which seeks high quality design and respect for context, guidance in the Arun District Design Guide, and the National Planning Policy Framework (Framework) which seeks to achieve well-designed places and sympathy for local character.

Conclusion

9. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
10. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR