



Appeal Decisions

Site visit made on 5 November 2025

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

Appeal A: APP/Z1775/W/25/3360777

Annesley House, Queens Crescent, Southsea, City of Portsmouth PO5 3HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Hipperson against the decision of Portsmouth City Council.
 - The application reference is 24/00759/PLAREG.
 - The development is erection of contemporary horizontal slatted fencing on top of existing boundary brick wall.
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Appeal B: APP/Z1775/Y/25/3360779

Annesley House, Queens Crescent, Southsea, City of Portsmouth PO5 3HE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Mark Hipperson against the decision of Portsmouth City Council.
 - The application reference is 24/01227/LBC.
 - The development is erection of contemporary horizontal slatted fencing on top of existing boundary brick wall.
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Decisions

1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. I have used the descriptions from the application form, as no confirmation that a change was agreed has been provided and removed words that are not acts of development.
3. As the site is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
4. There was a fence in place at the time of my site visit, and all parties have referred to the scheme as being retrospective. I have dealt with the appeals in the same way.

Main Issues

5. The main issues are whether the scheme would:
 - Preserve or enhance the character and appearance of the Owen's Southsea Conservation Area,

- Preserve the Grade II listed building known as 'Annesley House' (Ref 138149) and any of the features of special architectural or historic interest that it possesses; and
- Preserve the setting, as it relates to the special interest of the nearby listed buildings¹.

Reasons

Owen's Southsea Conservation Area (CA)

6. The CA was designed principally by Thomas Ellis Owen (Owen), who was responsible for the design of much of this area of Portsmouth during the 19th century. It is an example of a 'villa suburb'. The streets of the CA have a mix of individual properties in large landscape plots, rows of terraces fronting directly on to the road and semi-detached dwellings.
7. There is also variation in the size and material of the boundary treatments in the CA. There are a few examples of timber fencing attached to and above walls. However, traditional treatments are walls, primarily brick, in particular at the villa properties that line the winding roads of varying widths in this part of the CA. This creates a picturesque streetscene and spacious feel. Views in, out and across the plots through the landscaping and over boundary walls allows an appreciation of the status of properties and the layout of the CA.
8. Given the above, the significance of the CA insofar as it relates to these appeals, comes from the 19th century architecture, materials and layout of its historic buildings, streets, walls and landscaping.
9. While not part of a row of other properties of the same design, Annesley House reflects the materials and architectural detailing of other buildings in the area. Its origins are also linked to Owen. Being a villa style property in a generous plot exhibiting many features typical of the CA including the brick boundary wall, Annesley House makes a positive contribution to the character and appearance of the CA.
10. The fence subject to this appeal, due to its position above the wall, and along much of the roadside boundaries means it is a prominent feature in both streetscenes. Timber fencing, while present in the CA, including atop brick walls, is not the predominant, or historic boundary treatment. The appearance and materials of the fence do not represent or relate well to the historic materials and form of road fronting boundaries of the CA. While the works may be reversible, there is no indication temporary permission is sought so it would be a permanent feature.
11. As such, it appears as an unsympathetic modern addition which due to the contrasting material draws the eye. The fence reduces the views of, and the ability to appreciate how the historic properties and their arrangement fit with the wider character and appearance of the CA.

1. Grade II Branksmere and attached walls and piers (Ref: 138150), Grade II Numbers 1-6 (Consecutive) and attached railings (Ref 1387225) and Grade II Kent Cottage (Ref 1387152)

12. While no clear details of the chain link fence previously in place have been provided, the description suggests a more open, and potentially less harmful feature than the solid timber fence now in place.
13. Thus, the appeal scheme would fail to preserve the character and appearance of the CA. Given the scale and prominence of the proposal in relation to the CA as a whole, the harm would be at the lower end of less than substantial harm.

Annesley House

14. Annesley House is a 19th century villa, formerly a school of Seamanship and Navigation and now back in residential use. It has a low-pitched slate roof and stuccoed walls with a mix of casement and sash windows some within stuccoed pilasters, arched arcadian openings and other intricate external detailing. It is set back from the road behind a brick boundary wall on the roadside boundaries of the property. Mature landscaping screens the property in some public views but also allows glimpsed views into the site over the boundary wall. The property is said to have been designed and formerly owned by Owen.
15. Given the above, the special interest of Annesley House lies in part, in its architectural interest being a good example of a villa style property of this period and from the use of traditional materials, including boundary treatments, in a spacious sylvan garden that contributes to its grandness and status. There is also historic interest from the links to Owen and the development of the wider area.
16. The fence is a prominent and jarring feature in terms of materials in relation to Annesley House and the boundary wall. It erodes the views and appreciation of the status of the property as intended over the wall and in its verdant, spacious grounds along much of its roadside boundaries.
17. Given the above, I find that the appeal scheme fails to preserve the special interest of Annesley House. Due to the nature of concerns, the scheme causes a moderate level of less than substantial harm.

Nearby Listed Buildings

18. Branksmere is an individually designed elaborate and eccentric late 19th century villa style property with Jacobean, Tyrolean and French influences. It is located across Queens Crescent from Annesley House. It is mainly red brick Flemish bond and timber framing with some stone dressings. It is an impressive and imposing building set back from the road in a large verdant plot with brick wall to the street.
19. Given the above, the special interest of Branksmere, insofar as it relates to these appeals, comes from its architectural and historic interest in terms of it being a striking individually designed property from this period which forms part of the wider planned development and street layout.
20. Numbers 1-6 Sussex Terrace are a row of mid-19th century 3 and 4 storey properties opposite Annesley House on the narrow Sussex Terrace designed by Owen. The stuccoed row has sash windows and railings to the front of the basements and steps up to the front doors.
21. Given the above, the special interest of 1-6 Sussex Terrace, insofar as it relates to these appeals, comes from their architectural interest in terms of the quality and

consistency of the design and historic interest from being one of the planned terraces in this part of the CA.

22. Kent Cottage is another mid-19th century individually designed Owen property. Like Annesley House there are different height wings. It has stuccoed walls with rustication and a pyramidal low pitch roof in part. While adjacent to the road, it has, and is viewed from the street, in a verdant garden that adjoins that of Annesley House.
23. Given the above, the special interest of Kent Cottage, insofar as it relates to these appeals, is derived from its architectural and historic interest being one of several individually designed villas in a landscaped garden forming part of the planned Owen CA.
24. There is no single consistent design of properties or boundary treatments in the wider area. Nevertheless, the listed buildings are most readily experienced in the pleasing variation of the historic architectural form often within spacious and sylvan plots in this part of the CA. The boundary treatments are part of the historic form and allow different views in and out of the winding streets and an appreciation of the quality and status of these properties as you pass through the area. This includes Annesley House, its garden and boundary walls.
25. The setting of the nearby listed buildings, insofar as relevant to these appeals, is primarily associated with their relationship with other historic properties and boundary treatments along with the verdant streetscene in this part of the CA. This contributes positively to the understanding and the special interest of them as well as the ability to appreciate them.
26. The position and height of the fence mean it forms a prominent and obstructive feature in the setting of the nearby listed buildings as you travel around the surrounding streets. While plain in colour, the incongruity of the material and form of the fence draw the eye, obstruct views and detract from the setting of these buildings.
27. Given the above, I find that the scheme harms the setting as it relates to the special interest of the nearby listed buildings. Due to the extent of setting affected, it causes harm at the lower end of less than substantial harm.

Other Matter

28. Examples of timber fencing nearby I have been referred to and saw on site were of a smaller height/length, different design, position and/or there is uncertainty as to whether they have the appropriate permissions/consents. As such, they are not directly comparable to the scheme before me and not a reason to allow the appeal scheme.

Planning and Heritage Balance

29. While less than substantial harm has been identified for each of the assets, this is of considerable importance and weight. This harm should be weighed against the public benefits of the scheme.
30. While anti-social behaviour is said to have been an issue, no detailed breakdown of incidents has been provided to support this. Given the scale of the scheme any public benefits associated with security would be small. It has also not been

demonstrated that the timber fence is the only or least harmful way of addressing this.

31. No information on climbing plants has been provided and given the scale of the scheme, any benefits to biodiversity would be small. Increased privacy for the occupiers of the property is a private rather than public benefit.
32. The continued viable use of the appeal property as a residential dwelling is also not dependent on the appeal scheme as the building has an ongoing residential use that would not cease in its absence.
33. Consequently, I find that the public benefits do not outweigh the harm to the designated heritage assets, which carries great weight. As such, the scheme fails to preserve the special historic interest of Annesley House, the setting as it relates to the special interest of nearby buildings and the character and appearance of the CA. It would fail to satisfy the requirements of the Act and paragraph 210 of the Framework and is contrary to the heritage protection aims of Policy PCS23 of the Portsmouth Plan.
34. I have had due regard to the Public Sector Equality Duty set out under the Equality Act 2010 (PSED). I am sympathetic to the circumstances described and can appreciate the personal benefits of the fence in providing greater security for the appellant and their young family. The negative impact of dismissing the appeal arises from being unable to provide this additional security. However, as above, it has not been demonstrated that the fence subject to these appeals is the only way in of achieving the desired aims or that alternatives would be more harmful.
35. As such, the adverse impacts of dismissing the scheme would be proportionate having regard to the legitimate and well-established planning policy aims and the intentions of the Act to preserve the special interest and significance of designated heritage assets. Taken alongside the other benefits suggested, the PSED considerations do not outweigh the harm I have identified.

Conclusion

36. The appeals conflict with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
37. For the reasons given above the appeals should be dismissed.

Stuart Willis

INSPECTOR