



Appeal Decision

Site visit made on 22 October 2025

by AJ Steen BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th December 2025

Appeal Ref: APP/C3810/W/25/3367129

The Old Farmhouse, Toddington Lane, Littlehampton BN17 7PN

- 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 David West against the decision of Arun District Council.
 - The application Ref is LU/49/25/HH.
 - The development proposed is erection of 1m fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form includes that the application was retrospective. That is not a form of development, so I have removed it from the description in my banner heading. Nevertheless, I was able to see the fence when I visited the site so have taken that into account in coming to my decision.
3. In determining this appeal involving a listed building or its setting I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issues

4. The main issues are:
 - Whether the fence preserves the Grade II listed building known as The Old Farmhouse or its setting; and
 - The effect of the fence on the character and appearance of the surrounding area.

Reasons

Listed building

5. The Old Farmhouse is listed grade II. It is a two storey flint house with red brick dressings, quoins and stringcourse, along with a slate roof and casement windows. The gables are crow-stepped with chimney breasts at the end. The south wing, facing the road, was constructed in the sixteenth or early seventeenth century and the north wing behind constructed later in a similar style. It, and the buildings to the east now converted to residential uses, comprise a former farm yard that would have been linked to surrounding agricultural land. The significance

of the listed building is derived from its distinctive architectural character, form and materials (including contributions from windows), and its historic links to agriculture.

6. The listed building is now surrounded by urban development, with residential uses on the approach roads and some commercial development set back from the road. A new housing estate appears to be under construction a short distance to the rear. As a result, functional links to agricultural land have been severed.
7. The front boundary comprises a flint wall with the recently erected fence above. The similar materials and character of the wall contribute to the setting and, therefore, significance of the listed building. The ground behind the wall is higher than the road, with the wall acting as a retaining wall. The fence is of modern appearance and materials that contrasts with that traditional character.
8. The listed building can be appreciated from the road to the front, from which it is a prominent and historic addition to the street scene. Whilst it is of limited height, it restricts views of the farmhouse such that it harms the appreciation of the farmhouse as a heritage asset from the road to the front.
9. The fence continues around the western side of the property such that it also restricts views from the road in this direction. However, there is mature planting behind the fence, such that it has a very limited effect on the appreciation of the heritage asset in views from this direction. It is, nevertheless, of domestic character and appearance that further separates the building from its historic agricultural roots.
10. It is suggested that the fence assists in protecting the building from damage and vandalism, reference having been made to previous forced entry and damage to the listed building. I note reference to advice from the police and Neighbourhood Watch in support of security at the property. Nevertheless, the fence restricts views, and natural surveillance, of the listed building from the public domain. However, I will take into consideration that the fence may be of some benefit in limiting the likelihood of damage and vandalism through providing additional security.
11. For these reasons, I conclude that the fence has resulted in harm to the setting of the Grade II listed The Old Farmhouse. That affects the significance of the listed building as a heritage asset, albeit that harm is less than substantial and modest on a spectrum of such harm.
12. The Framework advises at Paragraph 212 that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Accordingly, while less than the 'substantial harm' referred to in Paragraph 214 of the Framework, the harm to the listed building is nevertheless a matter of considerable importance in this case.
13. Paragraph 215 of the Framework establishes that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The fence provides additional

privacy to occupiers when using the garden of The Old Farmhouse. Whilst vegetation and the existing wall provide some privacy, this improves their living conditions to some extent. It is suggested that the fence improves security and safety to occupiers of the house and from damage and vandalism. It seeks to provide a safe garden with a high standard of amenity for occupiers as required by paragraph 135 of the Framework. Those benefits are largely private. However, I accept that the protection of the listed building from potential damage is also a modest public benefit. Nevertheless, that cannot outweigh the identified harm to the setting of the listed building or its significance as a heritage asset.

14. For these reasons, I conclude that the fence does not comply with Policies D DM1, HER SP1 and HER DM1 of the Arun Local Plan (LP) that seek to conserve or enhance the historic environment including by protecting and, where possible, enhancing the setting of listed buildings.

Character and appearance

15. The fence is located on the outside of a corner in Toddington Lane and on the junction with another road that appears to lead to the new housing estate. As a result, the site is prominent in views from both directions along Toddington Lane.
16. To the rear of the wall along much of its length is mature planting that dominates the fence and wall. However, the light colour of the fence makes it particularly visible in views along Toddington Lane.
17. Surrounding the site is a mix of housing development and boundary treatments, including similar close boarded fences, post and rail fences and flint walls. Those boundary treatments reflect the age and style of properties located behind them. The older housing tends to have flint walls to the roadside with hedges and mature trees to the rear and limited close boarded fencing. As a result, the close boarded fence around Toddington Old Farm House appears somewhat incongruous. I accept that it will weather in time to a muted grey tone such that it would then appear less prominent, but that will not wholly overcome that harm.
18. For these reasons, I conclude that the fence harms the character and appearance of the area. As such, it conflicts with Policy D DM1 of the Arun Local Plan (LP) that seeks development to reflect or improve the character of the site and surrounding area and for hard landscaping to reflect the local area.

Other matters

19. I understand that the fence was erected to provide additional security and enhanced privacy for occupiers of The Old Farmhouse. The fence restricts views into the property, such that it increases the privacy of occupiers of the house. I note that Articles 1, 2 and 8 of the European Convention on Human Rights (ECHR) protect the peaceful enjoyment of property, affirm the right to life including requiring reasonable measures to prevent foreseeable threats and guarantee the right to respect for private and family life including allowing individuals to safeguard their homes from intrusion. Nevertheless, these rights need to be balanced against the interests of others and the wider public. My attention has also been drawn to the Crime and Disorder Act 1998. Whilst I accept there may be benefits in terms of security and privacy, these do not outweigh the harm I have found to the setting of the listed building and character and appearance of the area.

20. I note that consent has been granted for fences and gates around another listed building at Green Farm, North Bersted Street, Bersted PO22 9AF. I have limited details of those fences and gates or the significance of that listed building, or the conservation area in which it was located, as heritage assets. As a result, I am unclear how it compares to the fence in this case. On that basis, I have considered this appeal on its individual merits.

Conclusion

21. For the reasons given above the appeal should be dismissed.

AJ Steen

INSPECTOR