

## Charlotte Burrows

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**From:** Barry Houlston [REDACTED]  
**Sent:** 28 February 2013 16:34  
**To:** Charlotte Burrows  
**Subject:** Fw: your ref. AW/36/13/DOC  
**Attachments:** scan to planning dept.(1).jpeg; scan to planning dept. (2).jpeg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

----- Forwarded Message -----

**From:** Barry Houlston <bhoulston@arun.gov.uk>  
**To:** "charlotteburrows@arun.gov.uk" <charlotteburrows@arun.gov.uk>  
**Sent:** Wednesday, 27 February 2013, 16:37  
**Subject:** your ref. AW/36/13/DOC

In response to our conversation on the above I attach 2 drawings as requested. As there are no structural or dimensional changes to the approved application, I have attempted to show the additional supplementary planting on both front elevation and plan views on the original drawings. I reiterate that the species is LAUREL; the anticipated number of new roots required is up to 45, and the estimated height of new shoots at time of planting is 60cm, with a growth rate of 30cm per year. Condition (1) relating to fence colouring is now completed. Condition(2), planting programme will commence as soon as I have received your approval, in writing, as required by the Planning Inspectorate.

Regards, Barry Houlston.

## Charlotte Burrows

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**From:** Katherine Rawlins  
**Sent:** 25 February 2013 13:24  
**To:** Charlotte Burrows  
**Subject:** FW: AW/221/12. Details reserved by condition.

Charlie,

I think you were dealing with this?

Katherine

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**From:** Barry Houlston [REDACTED]  
**Sent:** 25 February 2013 12:38  
**To:** Katherine Rawlins  
**Cc:** John Pryer  
**Subject:** AW/221/12. Details reserved by condition.

What is the progress on the above, please? I can confirm that condition (1) has now been completed. I cannot progress on condition (2) until you have agreed in writing, as stated in the Planning Inspectorate's report.

Regards. Barry Houlston.

no answer.  
26/2/13.

10.30.



27/2/13.

left message  
10.53.

\*27/2/13 - Mr Houlston  
will be sending in a  
layout plan.

|                                                                                                                                                                              |                        |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--|
| WSSC Local Development Division (Includes ROW/Archaeology/ Ecology/ Highways/Reg3/4/Strategic)                                                                               | WSE                    |  |
| Listed Building Design                                                                                                                                                       | WSD + CO               |  |
| Agricultural Appraisal                                                                                                                                                       | WAA                    |  |
| West Sussex Waste Disposal                                                                                                                                                   | WWD                    |  |
| Commission for Social Care Inspection                                                                                                                                        | RHU                    |  |
| Playschool Registration Unit                                                                                                                                                 | PRU                    |  |
| Highways Agency and Consultants Interoute                                                                                                                                    | HA & MO                |  |
| English Heritage (Parks/Gardens Special Interest only)                                                                                                                       | EH2                    |  |
| West Sussex Health Authority (Eastern Area)                                                                                                                                  | WHA                    |  |
| West Sussex Health Authority (Western Area)                                                                                                                                  | CHA                    |  |
| Southern Water                                                                                                                                                               | SWW                    |  |
| Environment Agency (Zone 2, 3 or 2/3)                                                                                                                                        | EA                     |  |
| Portsmouth Water Co.                                                                                                                                                         | PW                     |  |
| Railway consultee                                                                                                                                                            | RP                     |  |
| English Nature                                                                                                                                                               | EN                     |  |
| Sussex Police                                                                                                                                                                | POL                    |  |
| English Heritage (for apps affecting grade 1 or 2* LB's)                                                                                                                     | EH                     |  |
| Garden History Society                                                                                                                                                       | GHS                    |  |
| Health & Safety Executive                                                                                                                                                    | HSE                    |  |
| Sport England South East                                                                                                                                                     | SPO                    |  |
| West Sussex Fire and Rescue (Water And Access Management)                                                                                                                    | WFW                    |  |
| Department for Environment, Food & Rural Affairs                                                                                                                             | DEF                    |  |
| The Countryside Agency                                                                                                                                                       | COA                    |  |
| South East England Regional Assembly                                                                                                                                         | SEE                    |  |
| Western Sussex Primary Care Trust                                                                                                                                            | PCT                    |  |
| South East Economic Development Agency                                                                                                                                       | ECD                    |  |
| National Planning Casework Unit                                                                                                                                              | MFF                    |  |
| Ministry of Defence Safeguarding - choose from either: general planning applications <b>MO1</b> , for Wind Turbines <b>MOD</b> , or for Offshore developments <b>MO2</b>     |                        |  |
| The Theatres Trust                                                                                                                                                           | TTT                    |  |
| Estates Property                                                                                                                                                             | PS                     |  |
| Adjoining Council (Worthing/ Chichester/Horsham/ North Mundham Parish Council/South Downs National Park)                                                                     | WOR/CHI/HOR/<br>NMP/NP |  |
| Landscapes                                                                                                                                                                   | LDS                    |  |
| Arboriculturist                                                                                                                                                              | HOR                    |  |
| Environmental Health                                                                                                                                                         | FS                     |  |
| Leisure Services                                                                                                                                                             | TL                     |  |
| Concessions Officer                                                                                                                                                          | CON                    |  |
| Engineers – All to go to Brian Holland + Fluvial flooding (Simon Power) <b>END</b> or Coastal Protection (Roger Spencer) <b>ENC</b> or Structural (Bruce Taunton) <b>ENS</b> | ENG                    |  |
| Council Tax                                                                                                                                                                  | CTR                    |  |
| Building Control                                                                                                                                                             | BC                     |  |
| Economic Regeneration                                                                                                                                                        | ER                     |  |
| Housing Policy                                                                                                                                                               | HOU                    |  |
| Housing Management                                                                                                                                                           | CHO                    |  |
| Local Plans                                                                                                                                                                  | FP                     |  |
| Conservation Officer                                                                                                                                                         | CO                     |  |
| Planning Solicitor                                                                                                                                                           | LEG                    |  |
| Elections                                                                                                                                                                    | EL                     |  |
| Car Parks                                                                                                                                                                    | CAR                    |  |
| Environmental Amenities and Community Safety                                                                                                                                 | EAC                    |  |
| <b>Windturbine Developments</b> - Directorate of Airspace Policy - CAA Ministry of Defence Safeguarding <b>MOD</b> Ofcom – OFC, NERL Safeguarding-NATS-CTC - <b>WFC</b>      |                        |  |
|                                                                                                                                                                              |                        |  |
| <b>TSU WILL ALWAYS DO:</b>                                                                                                                                                   |                        |  |
| Relevant Parish Council                                                                                                                                                      |                        |  |
| CAAC - any app falling within a Conservation Area (enter group code CAA)                                                                                                     |                        |  |
| Six Societies - any demolition to a listed building (AMS, CBA, GG, SPA, VS + EH for principle demolition + LOCAL GROUPS ABS, LVC, FVS, AS, EPK, FCG, FNV )                   |                        |  |
| Ian Brewster - any tree applications (HOR)                                                                                                                                   |                        |  |
| Environment Agency – if development in a flood plain (EA)                                                                                                                    |                        |  |
| Southern Water - development over a public sewer or If in Barnham Drainage Area                                                                                              |                        |  |
| Adjoining Parish/Town Council if Dual Parish application                                                                                                                     |                        |  |
| <b>Southern Gas Networks</b> GBO (Check Utility Maps – applies in Shripney and Crossbush)                                                                                    |                        |  |



## Appeal Decision

Site Visit made on 22 January 2013

by **E C Grace DIPTP FRTPI FBENG PPIAAS**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 January 2013

**Appeal Ref: APP/C3810/D/12/2187835**

**Windrush, 2 Kingsway, BOGNOR REGIS, West Sussex, PO21 4DQ**

- 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 Mr B Houlston against the decision of Arun District Council.
- The application Ref AW/221/12 was refused by notice dated 23/10/12.
- The development proposed is: replace existing fencing and hedge with new wood fencing panels supported by concrete posts and gravel boards. New hedging to be planted along length of replacement fencing.

### Preliminary Matter

1. It is apparent that the works have already been carried out and I am therefore dealing with the proposal as being for the retention of the 23m of replacement fencing and hedge planting to the Kingsway frontage.

### Decision

2. The appeal is allowed and planning permission is granted for the retention of the 23m of replacement fencing and hedge planting at Windrush, 2 Kingsway, Bognor Regis in accordance with the terms of the application, Ref AW/221/12, dated 29/8/12, and the plans submitted with it, subject to the following conditions:

(1) Within 3 months from the date of this decision, the fence shall be stained in a colour which shall be approved in writing by the Local Planning Authority and thereafter retained as approved.

(2) Notwithstanding the planting already undertaken, this shall be further augmented by additional soft landscaping in accordance with details of species, sizes and planting programme which shall be agreed in writing by the Local Planning Authority and thereafter implemented and retained as approved.

### Main Issue

3. The main issue in this case is whether the development preserves or enhances the character or appearance of the Craigweil House Conservation Area.

### Reasons

4. It is apparent that a 23m length of existing boundary fencing along part of the appeal property's frontage to Kingsway had become decayed and that the ageing hedge alongside it was in poor condition, whereby the appellant was suffering from a loss of privacy and security.

5. As the property is within the designated Craigweil House Conservation Area, telephonic advice was sought from the Council's Conservation Officer, to which a written reply dated 2 August 2011 was received stating that he was of the opinion no permissions were required for the removal and replacement of either the boundary hedge or fencing, provided the new fence is in the same position and of the same height as the existing. Accordingly, the appellant commissioned the fence and hedge replacement work to be undertaken and duly had it carried out between 19 and 23 September 2011.
6. Following a complaint from a neighbour the appellant was required to submit an application in which he noted that advice had been sought from the Council's Conservation Officer which led to the works being undertaken and to native species being chosen for the hedge. Nonetheless, it is evident from the internal consultation, the same officer commented that this was yet another retrospective application for large sections of fencing fronting the highway, but notes the fence provides screening for a rear garden. However, he continued by stating that the level of planting does little to reduce the impact of the fence upon the street scene and indicates that it adjoins one of the pair of entrance gateway piers into the private estate which are locally listed structures. Hence, he considered the fence neither preserves nor enhances the appearance of the Conservation Area.
7. I consider the position the appellant finds himself in is unfortunate to say the least, having first been advised no permission was required for what he intended and then having a retrospective application refused, despite following the advice he received. I observed that the fence is in a prominent position alongside one of the main entrances into the Craigweil private estate and designated Conservation Area. It adjoins one of the pair of magnificent gateway piers which, I note has now been exposed in its full glory due to the removal of potentially damaging climbers from it, unlike the pier on the opposite side which remains enveloped in vegetation. I presume from the various submitted photographs this was undertaken as part of the fence and hedge replacement works. I regard that particular aspect as having had the effect of enhancing the appearance of the Conservation Area.
8. I suspect that after two years weathering, the fence has a somewhat less stark appearance than when the Council originally determined the application, but it is virtually inevitable that any new structure erected in an established built-up area would appear thus. A wide variety of boundary treatments exist throughout the estate and clearly a 1.8m high fence previously existed here. Indeed, the one fronting Barrack Lane remains *in situ* but does not cause visual offence as a result of its partial screening by planting and its dark hue, due to a combination of age and staining. Consequently, I consider it is necessary to assess how this starkness can be mitigated and conclude it could be readily addressed by staining the fence with a dark recessive coloured preservative.
9. The appellant has clearly adhered to the advice offered by the Council's Conservation Officer by selecting native hedge species for his replacement planting. However, even two years on, I observed that they are small specimens and still do not serve to provide significant filtering or screening of views of the fence. Furthermore, few had leaves on at the time of my visit and I consider there would be benefit by the addition of some evergreen species. I therefore consider the appearance of the fence could be further mitigated by augmentation of the existing planting scheme.

10. Accordingly, my conclusions in this case are that the works of removing the climbing vegetation from the gateway pier has had the effect of enhancing the appearance of the Conservation Area. With regard to the replacement fence, the Council did suggest the attachment of a condition to paint the fence in a colour agreed by them should I be minded to allow the appeal. I am content that the stark newness of the light coloured fence panels could be moderated by staining them in a darker recessive colour, whereby the character and appearance of the Conservation area would be preserved. The Council were silent on the matter of planting, particularly as the appellant appears to have followed the advice he obtained from them. However, I am unsure, in light of the Conservation Officer's comments, if that stretched to the precise species, numbers and sizes of shrubs. Whilst I have no doubt that the planting would in time mature to soften and eventually screen the fence, I propose to add a further condition to augment the existing planting scheme to further soften the appearance of the fence in order to ensure the character and appearance of the Conservation Area is preserved in accordance with Arun District Local Plan Policy AREA2.
11. For the reasons given above I conclude that the appeal should be allowed and permission granted subject to the two conditions to which I have referred.

*Edward Grace*

Inspector