

Appeal Decision

Site visit made on 14 July 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 20th July 2017

Appeal Ref: APP/M0655/D/17/3175252

3 Nottingham Close, Woolston, Warrington WA1 4QY

- 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 Artur Wisla against the decision of Warrington Borough Council.
 - The application Ref 2017/29979 was refused by notice dated 27 April 2017.
 - The development proposed is the erection of a garden wall to front of dwelling.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The surname of the appellant is spelt differently on the planning appeal form compared to the application form lodged with the Council. As the right of appeal rests solely with the original applicant, I have proceeded on the basis that Mr Artur Wisla is the appellant in this case.
3. The proposed development is complete. It appears to be broadly in accordance with the details shown on the drawing.

Main issue

4. The main issue is the effect of the development on the character and appearance of the local area.

Reasons

5. The appeal property is a detached dwelling that occupies a prominent corner plot along Nottingham Close within a modern estate style residential area. Open front gardens and driveways broadly characterise the highway frontages of most properties in the vicinity of the site. Fences also demarcate the boundaries of some properties close to the site although these features are, in the main, relatively low-level and set back from the adjacent highway. Overall, my impression was that the open frontages of properties give the area to which No 3 belongs a relatively informal, spacious feel, which is locally distinctive.
 6. This appeal concerns a brick wall that extends from the side of the garage of No 3 and stops just short the highway. The wall is modest in length and height. Nevertheless, when seen from the road, it appears as a stark, solid, formal barrier that sharply contrasts with the more low-key and open frontages
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that predominate in the local area. As the only obvious example of a boundary wall at the front of a property in the vicinity of the site, the development is obtrusive in the street scene and an unwelcome addition to the local area.

7. Bushes grown along the wall would, over time, partially screen the structure and visually soften its appearance. However, the presence of soft landscaping cannot be relied upon to mitigate the harmful effect of the new wall, particularly as planting can be cut back or removed at any time.
8. Therefore, I conclude on the main issue that the development unacceptably harms the character and appearance of the local area. Accordingly, it conflicts with Policies CS 1, QE 6 and QE 7 of the Council's Local Plan Core Strategy. These policies aim to ensure that development reinforces local distinctiveness, enhances the character and appearance of the street scene and does not have an unacceptable impact on the surrounding area. It is also contrary to the National Planning Policy Framework, which states that development should respond to local character and add to the overall qualities of an area.
9. Trees previously occupied the site and these were removed to make way for the new wall, at considerable expense to the appellant. This followed a request by the occupiers of the adjacent house to remove the trees so that driver visibility would be improved especially when exiting their property. However, these considerations do not outweigh the harm that I have identified.
10. If the appeal were to be dismissed, the appellant states that the height of the wall could be reduced. However, I have assessed the development on the basis of the scheme and the plans that were before the Council when it made its decision. If an applicant thinks that amending their proposal will overcome the planning authority's reasons for refusal, the *Procedural Guide – Planning Appeals – England* advises they should normally make a fresh planning application.
11. The Council refers to the hard surface area at the front of the main house and raises additional concern with regard to it. However, my remit is to determine the development for which planning permission is sought, which relates solely to the wall.

Conclusion

12. Overall, for the reasons given above, and taking into account the absence of objections from others, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR