
Appeal Decision

Site visit made on 2 April 2019

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th May 2019

Appeal Ref: APP/H1840/W/19/3220639

**Land off Barley Meadows, Inkberrow, Worcester, Worcestershire
WR7 4BW**

- 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 Carmichael on behalf of Carmichael Property Developments Ltd against the decision of Wychavon District Council.
 - The application Ref 18/02061/FUL, dated 8 October 2018, was refused by notice dated 19 November 2018.
 - The development proposed is to replace a timber palisade fence and gates with wrought iron railings and gates.
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Decision

1. The appeal is allowed. Planning permission is granted for the erection of wrought iron gates and railings at land off Barley Mews, Inkberrow, Worcester, Worcestershire WR7 4BW in accordance with the terms of the application, ref 18/02061/FUL dated 8 October 2018, and the plans submitted with it [2012/K570/400(-); 2012/K570/401(-); 2012/K570/402(-); 2012/K570/403(-); and 2012/K570/404(-)] and subject to the following condition:
 - 1) The approved railings and gates shall be painted black within 3 months of the date of this decision.

Procedural Matters

2. The fence and railings have already been installed. I shall consider the appeal on this basis.
3. Notwithstanding the description of development on the application form, I have simplified the description to relate only to those works requiring consent.
4. The planning application form had an incomplete address. I have consequently taken the full address as set out on the appeal form.

Main Issue

5. The main issue is the effect of the railings and gates on the character and appearance of the locality and the street scene.

Reasons

6. The appeal site encloses an area of open land. It is adjacent to a doctors' surgery and a row of terraced housing. The site is also adjacent to a woodland

and close to the boundary of Inkberrow Conservation Area (ICA). The site enclosed by the proposal is relatively tidy and clear but contains some building materials and detritus. In broad terms the site makes a neutral contribution to the character and appearance of the area.

7. The site is within an open plan estate approved in 2006¹. Low hooped topped railings were approved on the front boundary of the appeal site at that time. The estate includes examples of boundary treatment which is around 2 m high. These clearly differentiate between the public and private realm. Consequently, the proposal reinforces the sense of enclosure created by the existing dwellings and other boundary treatment within the estate. Whilst the enclosure is slightly higher than existing boundary fences, it is not perceptively out of scale with local enclosures. Furthermore, I recognise the security and anti-trespass benefits of the proposal, where fly-tipping has been raised as a problem in the past. Consequently, the principle of enclosure and the height of the proposal is in accordance with the prevailing local character.
8. The railings and gates are a decorative style not seen within the immediate estate. Although they are of a different style, they are nevertheless in keeping with the general character of many residential properties in the village. Furthermore, being of a domestic style suits the character of the mostly residential local area. Consequently, I do not find the proposal to be an alien feature or out of keeping with the local character. However, I recognise that being galvanised steel, the enclosure currently has a partly industrial appearance. This can be addressed by requiring it to be painted black which would then complement the local area. Therefore, the design of the gates and railings is acceptable in respect of the local context.
9. Subsequently, the height and design of the gates and railings would not harm the character and appearance of the locality or the street-scene. Consequently, the proposal would accord with policy SWDP21 of the South Worcestershire Development Plan (2016) which seeks, amongst other things, for development to complement the surrounding area and create a safe and secure environment. The proposal would also satisfy the design principles of the South Worcestershire Design Guide (SPD) (2018) which seeks, amongst other things, for development to make a positive contribution to an area and make a clear differentiation between public and private space.

Other Matters

10. The significance of the ICA is mostly derived from the survival of its historic identity and fabric, the use of local materials and the contribution made by the local natural environment. I concur with the Council in concluding that the effect of the proposal on the ICA would be negligible due to the nature of the proposal, its scale and distance from the boundary.
11. In reaction to some comments made by local residents in regard to utility access, the appellant has explained that Severn Trent has an access agreement with him. In any event, this is a private matter between parties and not material in considering the merits of the proposal.

¹ Planning application reference: W/06/00600/PN

12. Furthermore, although I recognise that the site is vacant, and therefore vulnerable to limited maintenance, the slightly untidy appearance of the site itself is of limited weight in the planning balance.

Conditions

13. I have considered the use of conditions in line with guidance set out in the Government's Planning Practice Guidance. I have attached the Council's suggested condition which requires the fence and gates to be painted black in the interests of the character and appearance of the area. This has been agreed between parties.
14. The appellant offered to plant landscaping behind the railings to obscure views of the site and address some of the concerns raised by local residents. However, I have not imposed this by condition as the requirement would not satisfy the tests in the Guidance as being necessary for planning.

Conclusion

15. For the above reasons, and having taken into account all matters raised, the appeal is allowed, and planning permission granted.

Ben Plenty

INSPECTOR