

Appeal Decision

Site visit made on 17 April 2019

by Rebecca McAndrew BA Hons, PG Dip Urban Design, MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th August 2019

Appeal Ref: APP/V4630/D/19/3221412
2 Century Drive, Walsall WV13 2JH

- 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 Louis Monk against the decision of Walsall Metropolitan Council.
 - The application Ref 18/1157, dated 30 August 2018, was refused by notice dated 14 December 2018.
 - The development is the erection of a garden wall with brick piers and railings to the front boundary.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form states that work started on the development in June 2018 but at the time of the application it was not complete. At my site visit I saw a boundary wall with piers had been constructed. However, it is proposed to reduce the height of the brick piers and to install railings and gates. Having regard to this, and to the fact that I cannot be certain that what has been built on site is otherwise fully in accordance with the submitted plans, I have assessed the development as shown on the plans determined by the Council and not as built on site.
3. The Council's decision notice refers to Policy ENV2 of the Walsall Unitary Development Plan 2005 (UDP). However, the Council has advised that there was a typographical error and the correct policy is ENV32 which was referred to in the Council's Officer Report. I have determined the appeal accordingly.

Main Issue

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

Reasons

5. The appeal site occupies a prominent corner position in a predominantly residential area, at the junction of Century Drive with Bilston Road. Century Drive is a modern housing development, which is largely open plan, and Bilston Road is characterised by a variety of more traditional properties, which include a mixture of front boundary treatments.

6. The boundary wall structure extends around both the front and part of the side boundary of the appeal site and would have a maximum height of 2 metres. Whilst the wall includes bricks which match the existing dwelling, this does little to blend it into the street scene. Cumulatively, the length, height and corner location of the wall structure results in an unacceptably prominent and incongruous boundary treatment which harms the appearance of both Bilston Road and the gateway to Century Drive. The modest reduction in height of the piers offered by the appellant would not significantly alter the appearance of the development and it would remain a stark feature out of keeping with the area.
7. I note that other properties on Bilston Road include front boundary walls, some of which also have piers and railings. However, those structures do not occupy a corner position and are lower in height and overall length than the development and therefore they sit more comfortably within the street scene. I also acknowledge that some properties have high front hedges. However, these form attractive landscape features and have a softer appearance within the street scene than the development at the appeal site.
8. The development is therefore contrary to policies GP2 and ENV32 of the UDP , paragraphs 127 and 130 of the National Planning Policy Framework (2019) and the recommendations of Policy DW3 of Walsall Urban Design Supplementary Planning Document (2013) which, taken together, seek to achieve good quality development through a high standard of design which responds to the context of the area.

Other Matters

9. In reaching my decision I have considered all matters raised by the appellant in support of the proposal, including the need for an attractive low maintenance boundary treatment and the protection of the appeal site from road traffic accidents, anti-social behaviour and crime. However, no evidence has been submitted of any significant on-going issues in this respect and, in any event, I consider that such issues could be addressed in a more sympathetic manner. Consequently, these matters do not outweigh the harm that I have identified to the character and appearance of the area.

Conclusion

10. For the above reasons, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Rebecca McAndrew

INSPECTOR