



Appeal Decision

Site visit made on 3 December 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 9th December 2019

Appeal Ref: APP/X4725/D/19/3239752

53 Wesley Street, Ossett WF5 8EU

- 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 Alex Booth against the decision of City of Wakefield Metropolitan District Council.
 - The application Ref 19/01163/FUL, dated 15 May 2019, was refused by notice dated 05 August 2019.
 - The development proposed is 1.2M high fencing on boundary wall to front (retrospective)
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development in the application form is "Erection of 12 Euro fence panels 1200mm High by 1800mm wide on a boundary wall adjacent to a highway. The wall which is about 1000mm high. There is raised land behind the wall which is about 750mm higher than the highway." However, in the interests of clarity I have adopted the description from the decision notice and the appeal form in the banner heading above.
3. The application sought permission for development which has been completed. I have therefore determined the appeal on the basis that retrospective permission is sought for development which has already been implemented.

Main Issue

4. The main issue is whether the development preserves or enhances the character or appearance of the Ossett Conservation Area.

Reasons

5. No 53 is a substantial stone dwelling in a prominent location at the junction of Wesley Street and Millfields, set back from the street in a large plot behind a stone boundary wall. It is within the Ossett Conservation Area (the CA) which is characterised by a range of ages and styles of building, including densely built terraces and widely spaced detached dwellings in generous mature gardens. The significance of the CA derives in part from the historic and architectural qualities of the built environment, including the buildings and their traditional boundaries. In this context, the appeal property and its boundary wall make a positive contribution to the CA.

6. The appeal scheme is an extensive length of decorative V arch top timber fence panels immediately behind the boundary wall that extends from No 53 to the neighbouring property, Chestnut House. The fence is a conspicuously contemporary feature that is not in keeping with the historic character of the area. Moreover, it interrupts the visual connection and harmony between the appeal property and its boundary wall. Furthermore, it is discordant in the context of the traditional boundary treatments elsewhere along Wesley Street and in the CA. Consequently, by virtue of its height, design and location, it is visually obtrusive and incongruous and it does not make a positive contribution to local distinctiveness.
7. The National Planning Policy Framework (the Framework) is clear that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In this case, the harm to the CA would be less than substantial and this must be weighed against the public benefits of the scheme. The appeal property is a private dwelling and there are no public benefits that would outweigh the harm to the CA. Consequently, the scheme is in conflict with the Framework.
8. Therefore, the development fails to preserve or enhance the character or appearance of the Ossett Conservation Area. It conflicts with Policy CS10 of the Wakefield Metropolitan District Council Local Development Framework Core Strategy Adopted April 2009 and Policies D9, D10 and D18 of the Wakefield Metropolitan District Council Local Development Framework Development Policies Document Adopted April 2009. These require, among other things, that development makes a positive contribution to local character and distinctiveness, is appropriate to its surroundings, incorporates high quality boundary treatments, and protects and enhances the district's historic assets. It also conflicts with the guidance and aims of the Wakefield District Residential Design Guide Supplementary Planning Document Adopted January 2018.
9. My attention has been drawn to timber fences elsewhere in the area. Full details of those schemes are not before me. However, on the basis of the evidence, they appear to differ from the appeal scheme in a number of ways including their location relative to the CA and the surrounding built environment and the street scene. Therefore, I cannot be certain that they are directly comparable to the appeal scheme and they are not a justification for a scheme that results in harm to the CA.

Other Matters

10. I appreciate that the fence provides a secure means of enclosure to the property. However, there is little before me to suggest that the former hedgerow did not similarly function to provide a secure boundary or that there are no alternative schemes that would deliver the same benefit to the appellant without the conflict with the development plan.

Conclusion

11. For the reasons set out above, the appeal is therefore dismissed.

Sarah Manchester

INSPECTOR