
Appeal Decision

Site visit made on 7 December 2020

by Beverley Doward BSc BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2020

Appeal Ref: APP/P4415/D/20/3261409

80 Lidgett Lane, Dinnington, Rotherham, S25 2QD

- 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 Mrs Georgia Beckingham against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2020/0953, dated 25 June 2020, was refused by notice dated 8 October 2020.
 - The development proposed is described as 'to widen and set back gate entrance (automatic) to the property. Gate width 5.4m, height of 2.3m (from ground level) side panels to match. Gate set back from highway to allow safe zone for a car to be clear of obstructing busy highway when entering the properties gate entrance'.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The description of development in the heading above is taken from the planning application form. The development which has been completed comprises the widening of the front access and erection of a gate and side panels at 80 Lidgett Lane.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area having regard to its design, height, position and materials of construction.

Reasons

4. The appeal site comprises a detached dwelling on a corner plot at the junction of Lidgett Lane with New Road. There is a mini roundabout on Lidgett Lane at its junction with New Road. Most of the boundary of the appeal site to both Lidgett Lane and New Road is delineated by a stone wall with hedging behind. There is a vehicular access onto Lidgett Lane leading to a hardstanding and garage. The surrounding area is predominantly residential.
5. The development subject of this appeal comprises the already completed widening of the vehicular access onto Lidgett Lane and the completed installation of a close boarded automatic gate and matching side panels.

6. The Council indicates that it does not object to the widening of the access and I see no reason to take an alternative view.
7. The gate and side panels are of steel construction with grey composite infills and measure about 2.3m high. They are considerably higher than the existing stone wall that bounds most of the site. The gate is about 5.4m wide.
8. Within the immediate vicinity of the appeal site, on the same side of Lidgett Lane as No 80, most of the frontages of the properties are bounded by stone walls and hedging. Some have gated accesses whilst others have open accesses. The neighbouring property at no 78 has a stone wall with wrought iron gates of a similar height to the wall. No 76 also has a stone wall with gates which, although of a similar construction to the gate subject to this appeal, are somewhat lower in height than it. The frontages of the properties on the opposite side of Lidgett Lane are mostly bounded by hedges and have open accesses.
9. The gate and side panels subject to the appeal are clearly visible in the street scene and by virtue of the combination of their size, design, materials and positioning appear overly prominent and out of keeping with the character and appearance of the surrounding area which is essentially suburban residential.
10. The appellant indicates that the gate has been set back from the edge of the pavement by about 1.46m in order to allow a car to be clear of the highway whilst the gate opens and that the automatic function ensures there is no need to leave the vehicle on the road to then open the gate near the roundabout. Whilst I note the safety benefits of these aspects of the development, there is nothing in the evidence before me to indicate that it would not be possible to achieve these without the need for a development which causes harm to the character and appearance of the area.
11. The appellant indicates that there are other gates and walls in the surrounding area which exceed 1m high and are positioned closer to the highway than the development subject of this appeal. I am not aware of the circumstances relating to the developments referred to or indeed whether they benefit from planning permission. Nevertheless, from what I observed on my site visit, none of the examples cited provide a direct comparison to the appeal development in terms of their design, height, position and materials of construction.
12. I appreciate that a lower gate of a similar design to that subject to this appeal set further away from the highway may not require planning permission. However, the development subject to this appeal does require planning permission. Furthermore, as indicated above, it causes harm to the character and appearance of the area.

Conclusion

13. To conclude therefore, the development causes harm to the character and appearance of the area having regard to its design, height, position and materials of construction. Accordingly, it conflicts with policy CS28 of the Rotherham Local Plan Core Strategy 2013-2028 and policy SP55 of the Rotherham Local Plan Sites and Policies adopted June 2018 which respectively require development proposals to be responsive to their context and visually attractive and to be of a high quality and positively contribute to the local character and distinctiveness of an area. The development is contrary to the

advice in the Supplementary Planning Document – Householder Design Guide which indicates that in relation to boundary treatments, careful consideration should be given to the location and choice of materials used to protect the street scene. It also conflicts with the requirements outlined within the National Planning Policy Framework (paragraphs 124 and 130) and the Planning Practice Guidance (reference ID:26-001-2019001) to achieve well designed places.

14. For the reasons given above I conclude that the appeal should be dismissed.

Beverley Doward

INSPECTOR