



Appeal Decision

Site visit made on 8 December 2020

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th January 2021

Appeal Ref: APP/C3240/D/20/3246941

20 New Road, Dawley, Telford, TF4 3LJ

- 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 Lisa Jackson against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2019/0846, dated 3 October 2019, was refused by notice dated 10 December 2019.
 - The development proposed is a dwarf boundary wall with wrought iron fencing and bi folding gate to front of the property.
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Decision

1. The appeal is allowed and planning permission is granted for a dwarf boundary wall with wrought iron fencing and bi folding gate to front of the property at 20 New Road, Dawley, Telford, TF4 3LJ in accordance with the terms of the application, Ref TWC/2019/0846, dated 3 October 2019, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: NR-01; NR-02.

Main Issue

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

Reasons

3. The appeal site consists of a semi-detached dwelling on the north eastern side of New Road. The proposed boundary walls and wrought iron fencing had already been constructed at the time of my site visit, and the appeal is therefore partly retrospective in nature.
4. There is some variation in the boundary treatments along New Road although front hedges predominate, particularly to the south east of the appeal site. However, the adjacent properties at Nos 18-19 have open frontages, and Nos 31-32 (diagonally opposite) have low brick front boundary walls. The entrance to a narrow lane is also positioned opposite which creates an open area next to the highway. Other nearby properties on the opposite side of New Road have high brick piers and front gates that are comparable to the appeal proposal. The boundary treatments in the vicinity of the appeal site therefore contain a significant degree of variation. In this context, the development does not

appear out of place, and the prominent north western boundary hedge has been retained. The development is of a comparable height and scale to neighbouring boundary treatments and it is compatible with its surroundings in my view. Whilst it is dissimilar to the front boundary to No 21, the degree of symmetry between these properties has already been eroded by recent extensions, and the differing colour schemes to the window frames, doors, and eaves.

5. It is permitted development¹ to construct a gate, fence, or wall next to a highway provided it does not exceed 1 metre in height. In this case, only the brick piers and railings protrude significantly above 1 metre, and the proposed gate would consist of relatively lightweight railings. The appellant also states that they would make use of these permitted rights should the appeal be dismissed, and accordingly I consider that there is a real prospect of this fallback option being pursued. In my view, the development does not have a significantly greater effect on the street scene than the fallback option.
6. For the above reasons, I conclude that the development does not harm the character and appearance of the area. It therefore accords with Policies BE 1 and BE 2 of the Telford & Wrekin Local Plan (2018). These policies seek to ensure, amongst other things, that residential alterations respect the character of the area and respond positively to their context. It would also be consistent with guidance in the National Planning Policy Framework which requires that new development is sympathetic to local character.

Conditions

7. I have imposed a condition that requires the development to accord with the approved plans, which is necessary in the interest of certainty. Given that the appeal is retrospective, it is unnecessary to attach a time limit condition.

Conclusion

8. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR

¹ Under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)