



Appeal Decision

Site visit made on 8 June 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2021

Appeal Ref: APP/R2520/D/21/3268174

"Langton Place", 9 Witham Close, Ruskington NG34 9HH

- 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 Steven Langton against the decision of North Kesteven District Council.
 - The application Ref 20/1057/HOUS, dated 12 August 2020, was refused by notice dated 11 November 2020.
 - The development proposed is a 2m high front wall adjacent to Witham Close.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the banner heading above is adapted from that used on the planning application form, although I have omitted words relating to the wall being retained as these are not descriptive of the development. Notwithstanding this, the wall for which planning permission is sought has already been erected, and I am considering the appeal retrospectively on that basis.

Main Issue

3. The main issue is the effect of the wall on the character and appearance of the area.

Reasons

4. 9 Witham Close, known as "Langton Place", is a two storey, detached dwelling in a residential area within the large village of Ruskington. Witham Close is a short cul-de-sac serving six dwellings (1-9 Witham Close – odds only – and 17 Springfield Road). The five other dwellings are all bungalows, and the appeal property is considerably larger than its neighbours. It is also set well back from the highway on a spacious plot which the Council has described as "modest", but which again appears notably larger than those of any of its near neighbours. Witham Close is accessed from Springfield Road, which runs from Lincoln Road and serves two other short cul-de-sacs, Nene Close and Welland Close, before becoming Millview Road further east.
5. Dwellings in the surrounding area are, with the exception of the appeal property, generally set close to one another on small plots. However, front

gardens are mostly open plan, although some are bounded by hedges or low brick or blockwork walls. The principal exception to this pattern occurs where rear gardens also adjoin the street, and in these instances higher boundaries are used – for example, 1 Witham Close and 17 Springfield Road have rear gardens bordering Witham Close, both with close-boarded fences. A similar pattern is found in Nene Close and Welland Close. While there is no single dominant form of boundary treatment, the prevailing character of the area is one of openness and relative spaciousness, in which the street scene is not cluttered or dominated by boundary features.

6. The appellant has replaced the previous boundary wall at the appeal property, which I understand to have been around 0.9m tall and white rendered, with one around 2m high (dropping to around 1.8m alongside No 7 Witham Close). This is also white rendered, and has two red brick gateposts a little over 2m tall at the entrance to the driveway. While the white render and red brick are in keeping with the appearance of the dwelling “Langton Place”, the finish and its height make the wall a stark and prominent feature in the streetscene, visually dominating and enclosing the head of Witham Close. It is entirely at odds with the lower and softer front boundaries generally found in the surrounding area.
7. The appellant has indicated that the wall is required to provide privacy within the dwelling, as two of its bedrooms have balconies facing Witham Close. However, Witham Close is a small and quiet street with only one way in or out, and with only six dwellings it seems unlikely that there would be substantial numbers of pedestrians or people in vehicles passing the appeal site. Furthermore, from what I saw at the time of my site visit the front bedrooms are set well back from the footway, and as both are on the first floor they are some way above street level, even allowing for the fact that the ground floor of “Langton Place” is set a little below the front garden and driveway. While I understand that the appellant may wish to achieve a greater degree of privacy and security, or perceived privacy and security, than offered by the lower wall previously in place, this consideration does not justify such a prominent and intrusive wall as has been built.
8. I conclude that the wall causes significant harm to the character and appearance of the area. The development therefore conflicts with Policies LP1 and LP26 of the 2017 Central Lincolnshire Local Plan, with guidance in Characteristics C1 and I1 of the 2021 National Design Guide, and with the requirements of paragraphs 127 and 130 of the 2019 National Planning Policy Framework. Together these seek to ensure that development is well-designed and responds and relates well to local character and context, including in its scale, massing, materials and detailing.

Conclusion

9. The scheme conflicts with the development plan taken as a whole. There are no material considerations, including those of the Framework, which indicate that the decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

M Cryan

Inspector