



Appeal Decision

Site Visit made on 29 June 2021

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2021

Appeal Ref: APP/P4415/D/21/3272542

Poppylodge, 3 Racecourse Close, Swinton, Rotherham S64 8EW

- 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 Paul Anderson against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2020/1759, dated 1 November 2020, was refused by notice dated 13 January 2021.
 - The development is erection of a boundary wall.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development as it is shown on the planning application form includes a large amount of superfluous commentary. For ease of reference, I have taken solely the development for which planning permission is sought. In addition, the boundary wall has now been constructed. I have considered the appeal scheme accordingly.

Main Issue

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

Reasons

4. The rear of the appeal property and its rear garden face onto Wath Wood Road and sit at a lower level than the pavement and road. The boundary wall encloses the rear garden of the appeal property and has replaced a hedge and fence.
5. The boundary treatments at the properties in the vicinity of the appeal property on Wath Wood Road are varied although generally comprise relatively low walls, with a number including railings or low fencing above, or are wholly formed from hedging. The neighbouring property to the north, which is 4 Racecourse Close, has a hedge as the boundary treatment to its rear garden at the point where it faces Wath Wood Road. The boundary treatment for this neighbouring property becomes a wall just up from the junction of Racecourse Road with Wath Wood Road, which the appellant states ranges in height from around 1.68m to 1.94m. This wall forms the northern boundary for the properties on Racecourse Close.
6. Despite being hard up against the pavement, the generally low walls and fencing, railings and hedges to the majority of properties on Wath Wood Road

in the vicinity of the appeal property convey a pleasant sense of openness in the street scene. This sense of openness is reinforced by the presence of a grass verge with large trees that runs adjacent to the road for quite a length to the north of the appeal property.

7. The boundary wall represents a more solid boundary. Given its height, length and location hard up against the pavement, it appears as a higher and thus far more prominent form of boundary treatment than others. It presents an enclosed frontage to Wath Wood Road which is in marked contrast to the prevailing open frontages of the nearby dwellings. The boundary wall therefore appears as a dominant and incongruous feature in the street scene. As such, rather than positively contributing to the local character and distinctiveness, it significantly harms it.
8. Consequently, the development conflicts with Policy CS 28 of the Rotherham Local Plan Core Strategy 2013 – 2028, 2014, (the CS) and Policy SP 55 of the Rotherham Local Plan Sites and Policies 2018 which require proposals to respect and enhance the distinctive features of Rotherham, be responsive to their context and positively contribute to the local character and distinctiveness of an area and the way it functions, amongst other matters. It also conflicts with the guidance on boundary walls and fences in the Rotherham Local Plan Householder Design Guide Supplementary Planning Document 2020 which advises that high front boundary walls create a poor street scene and can be visually oppressive particularly in areas where front gardens are generally open or formed of low boundaries. Whilst the boundary wall is to the rear of the appeal property, given its location it has the characteristics of a front boundary wall on Wath Wood Road.

Other Matters

9. The appellant draws attention to the wall that runs on the southern side of Racecourse Road as an example of a lengthy stretch of wall with a similar height to the boundary wall that is the subject of this appeal. However, given its location, this wall does not provide a visual context for the boundary wall that is the subject of this appeal. Rather, the location of the boundary wall means that it draws its visual context on character from Wath Wood Road. I also observed other examples of boundary treatments that are higher than the generally low walls and fencing described above. However, these are in the minority and are not of the same height or length as the boundary wall that is the subject of this appeal. They do not alter the generally open character of the area.
10. I appreciate that the appellant wants to ensure the privacy and security of their property and rear garden. I also have no reason to doubt that the wall is safe, well-constructed and low maintenance. Whilst these matters gain some support from Policy CS 28 of the CS, this does not outweigh the harm to the character and appearance of the area that I have identified, nor the conflict with other policies of the development plan as I have identified them.
11. The appellant has highlighted that the appeal property does not lie within or close to any heritage assets and that there is no highway safety or access visibility issues associated with the boundary wall. Whilst this may be the case, these are neutral factors that do not outweigh the harm that I have identified. In any event, these elements do not mean I should not fully assess the appeal scheme in the interests of the character and appearance of the area.

12. I note that the appellant has indicated a willingness to adapt the wall to incorporate some variety through stepping it down along its length similar to the wall fronting Racecourse Road. However, I have not been presented with any details of the form that this may take and so have based my decision on the submitted plans which the Council made its decision on.

Conclusion

13. For the reasons given the development conflicts with the development plan taken as a whole. There are no material considerations that indicate that the decision should be made other than in accordance with the development plan. Consequently, the appeal should not succeed.

F Wilkinson

INSPECTOR