



Appeal Decision

Site visit made on 17 August 2021

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 7 September 2021

Appeal Ref: APP/V4250/D/21/3275833

2 Bradshaw Close, Standish WN6 0RG

- 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 and Mrs Little and Jones against the decision of Wigan Council.
 - The application Ref A/21/90807/HH, dated 4 February 2021, was refused by notice dated 31 March 2021.
 - The development proposed is the re-submission of planning application A/20/89663/HH to relocate 1.8m high garden wall closer to a highway to increase the private garden area to the rear/ side.
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Decision

1. The appeal is dismissed.

Main Issue

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

Procedural Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). Whilst I have had regard to the revised national policy as a material factor, in this instance the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Reasons

4. The appeal site comprises a detached dwelling and gardens at the corner of Bradshaw Close and Langham Road. A boundary wall with fencing runs along Langham Road to enclose the rear gardens. This is set back from the pavement, retaining a grass verge where shrubbery partially screens the wall. The immediate surrounds are residential, with unfenced gardens abutting the pavement creating a consistent open plan that defines the character of the area. Due to the open front garden, setback of the boundary wall and intervening grass verge, the site makes a positive contribution in this regard.
5. The proposal would replace the boundary wall. Its materials would match the existing and it would be stepped back from the front of the property, retaining the open front garden. However, it would project further towards Langham Road, directly abutting the pavement such that it would enclose the grass

verge. While the height of the wall would remain the same, its visual impact would be increased due to the additional projection.

6. Running along the rear gardens, the wall would cover a considerable length in a prominent location due to the junction and road curvature. It would be experienced in the context of the surrounding open plan style gardens, where the built form directly alongside the pavement would appear incongruous. While wall climbers are proposed, the limited set back would restrict possible planting to soften the visual impact. In any event, the proposal results in the loss of the grass verge that contributes to the surrounding open character. Accordingly, it would appear as a dominant addition that is out of keeping with the overall character of the area due to the resulting reduction in openness.
7. The appellant has referred to nearby properties where boundary walls directly abut the pavement. However, this is not a defining characteristic of the estate and some of the examples serve to highlight the harmful effect such enclosures can have on the surrounding character. In any event, the open plan feel remains intact in the immediate area of the site due to the prevalence of unenclosed gardens, and this would be eroded by the proposal. The appeal must be assessed on its own site specific circumstances and the presence of nearby developments claimed to be similar would not provide justification for a further development that I consider would be harmful to the character and appearance of the area.
8. For the reasons given above I find that the development would have a significant adverse effect on the character and appearance of the surrounding area. As such, it would fail to accord with Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, September 2013 and the provisions of the National Planning Policy Framework, which together seek to ensure good design.

Other Matters

9. It has been raised that no objections were received on the impact of the proposal on cycling, public transport, road safety, schools, parking or visibility. However, the lack of objection on these matters, which are not in dispute, attracts limited weight and does not outweigh the harm identified above.
10. The personal benefits of the proposal are acknowledged, whereby it would provide further private garden facilities for the appellant. However, this would not outweigh the harm identified above. Similarly, it has been specifically highlighted that access to the appeal property and neighbouring properties, including for emergency services, would not be impacted and that suitable visibility splays would remain. These aspects of the proposal are acknowledged but represent examples of a lack of harm, which is a neutral matter that does not weigh in favour of the proposal.

Conclusion

11. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR