



Appeal Decision

Site visit made on 13 May 2024

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2024

Appeal Ref: APP/V4630/D/24/3340547
7 Sandra Close, Walsall, WS9 8UW

- 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 Anthony Lenton against the decision of Walsall Council.
 - The application Ref 23/0618, dated 22 May 2023, was refused by notice dated 17 January 2024.
 - The development proposed is the construction of a 1.5m high garden wall to boundary of part of front garden.
-

Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is the effect of the proposed development on:-
 - the character and appearance of the street scene;
 - the public safety, including the perceived fear of crime, of local residents.

Character and appearance

3. Sandra Close is a cul-de-sac of modern detached and semi-detached dwellings. Other than the corner properties at the entrance to the road and the first property on the southern side, the properties are consistent in having open plan front gardens with dwarf walls and generally low planting along their front boundaries. This greenery and openness contributes positively to the character and appearance of the street scene.
4. The appeal dwelling is a two storey detached house that lies at the end of the road. Like the other properties it is set back from the road with a front garden but also has an area of side garden that adjoins the turning head. A detached garage is sited within the side garden and set back from the front boundary. A brick wall forms the rear boundary of the side garden but that is seen only from the head of the cul-de-sac and not within the general street scene. Due to its set back from the road and subtlety of colour that harmonises with the colour of the gabled wall of the house to the rear, that wall is not unduly dominant in the street scene. The existing front boundary is planted along part of its length with conifer trees that have been pruned to a height of some 1.8m or so with one or two gaps between. Those begin to one side of the driveway,

turning the corner into the head of the cul-de-sac and ending where they meet the gable end of the garage.

5. The proposal would replace those trees with a 1.5m high wall of rendered blockwork in eight panels with slightly higher brick piers at regular intervals for a length of some 14m. The introduction of hard materials as a front boundary treatment, together with the height of the wall, would result in an overly dominant solidity that would contrast with the openness and softness of the other front boundaries. Although the proposed cream render would match the colour of the render on part of the front elevation of this and other dwellings, the light shade would appear as a stark contrast to the greenery of other boundaries and would further emphasise its difference from those. I disagree with the appellant that it would be difficult to see unless outside the site because the road is generally level and the dwellings on this side have a uniform building line. As such, the existing conifer trees can be clearly seen in the approach along the road before they turn the corner and that would also be the case for the proposed wall.
6. I have noted the appellant's reference to another wall that he considers similar at the corner of Little Aston Road and Branton Hill Lane in Aldridge but as I have not been told of the planning status of that wall and it does not lie within the street scene of Sandra Close, it does not persuade me to alter my findings in this case.
7. Therefore, by reason of its height together with the solidity and colour of the proposed materials, the proposed wall would significantly harm the character and appearance of the street scene. It would be contrary to development plan policies GP2, ENV32, ENV18 in the Walsall Annotated 2019 Unitary Development Plan (UDP) and policy ENV3 in the Black Country Core Strategy (BCCS) (2011) that together seek to encourage high quality design that takes account of its surroundings and prevents the loss of trees or hedges without appropriate replacement planting of native species.

Public safety

8. Although solid walls can offer hiding places and suggest to others that there is a security risk in the location, that would not be the case here because the area between the garage and the proposed wall would be visible to the occupiers of the appeal dwelling and their neighbours at no's 3 and 5 as well as to others in the approach along the road. As the road is a cul-de-sac without a footpath leading to anywhere else, there would be no escape route and this would help deter anyone seeking to commit anti-social behaviour or a crime. Moreover, the Council has not provided any evidence that the area is subject to higher than average rates of such behaviours that might justify its stance on this matter.
9. For these reasons, I am satisfied that the proposal would not result in an increase to the perceived fear or actual risk of crime on Sandra Close. It would therefore accord in this respect with policy DW2 of the Council's Supplementary Planning Document 'Designing Walsall' that seeks to ensure safe places and with the National Planning Policy Framework that has a similar objective.

Conclusion

10. For the reasons given above, I conclude that although I have found that the proposal would be acceptable in terms of public safety, my findings in regard to character and appearance are significant and overriding. The proposed development is therefore contrary to the development plan and there are no material considerations that would outweigh that. The appeal should be dismissed.

Sarah Colebourne

Inspector