



Appeal Decision

Site visit made on 10 December 2024

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 February 2025

Appeal Ref: APP/P4415/D/24/3352970

7 Quarry Field Lane, Wickersley, Rotherham S66 1EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Miss D Barnes against the decision of Rotherham Metropolitan Borough Council.
 - The application reference is RB2024/0752.
 - The development proposed is erection of privacy screen to existing wall.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was made on a partly retrospective basis. I saw sections of the fence installed at the property when I visited the site, but noted that it did not span the full width of the front boundary as per the proposed plans. Therefore, whilst having regard to what has been built on site, I have assessed the proposal against the submitted plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the Wickersley Conservation Area (the WCA).

Reasons

4. The appeal property is a stone built, terraced dwelling forming part of a consistent row of five such properties on one side of Quarry Field Lane. The dwellings are set well back from the street behind long front gardens, which are the only external space for occupants as the dwellings have no land at the rear. The gardens are set slightly below street level behind stone front walls indicated to be some 1300mm in height. As a result, there are clear views from the street into the gardens. The proposal seeks to erect horizontal timber fencing directly behind and protruding above the front wall to a total height of some 1610mm.
5. The appeal site lies within the WCA. I am not provided with an appraisal for the WCA but note from the evidence it comprises the northern end of Morthen Road and its side streets and is stated to contain some of the oldest and best examples of traditional buildings in the village, among them notable listed buildings such as St Alban's Church and Wickersley Old Hall. From my observations, the WCA is characterised by attractive, traditional stone buildings of varying scale and form in an organic, textured layout evoking a long history of settlement. Thus, the WCA has evident historic and architectural interest that contributes to its significance.

6. In addition, the Appendix to the Wickersley Neighbourhood Plan 2021-2028 (May 2022) (the WNP) describes 1-7 Quarry Field Lane as a 'fantastic row of early 19th century workers cottages', built in sandstone, well-maintained and with original window and door openings. They are identified as local list candidates under Policy GP4 of the WNP on the basis of age, retained architectural integrity and group value. It is unclear if they have been formally recorded on a local list, but on the available evidence I consider the group can be regarded as a non-designated heritage asset (NDHA).
7. The proposed fence would be the first such addition to the front wall of this terraced group and I saw the fencing already installed on site appeared consistent in design to that proposed on the submitted plans. I saw it to have a distinctly more contemporary form with regularly spaced posts and sharply cut slats. This is in stark contrast to the coarse texture and patina of age to the traditional stone wall. The height of the proposed fencing, coupled with its design, would stand out starkly above the existing wall, creating an anomalous and discordant feature that would severely undermine the consistent form of the boundary wall and would harm the overall uniformity and architectural integrity of the terraced group. It would also serve to obscure views of the dwelling and the overall terrace, diminishing the contribution of the NDHA to the streetscene and wider WCA.
8. In these respects, the proposal would conflict with the guidance of the Council's Householder Design Guide Supplementary Planning Document (June 2020) that high boundary walls can create a poor street scene, particularly where front gardens are generally open or formed of low boundaries.
9. I noted on site that No 3 has a dense hedge above the wall which provides a natural form of screening comparable in height to the proposed fencing but which does not detract from the stone wall as the principal boundary treatment. Indeed, this is a combination I saw in several places across the WCA. At No 5, the pitched roof of a garden shed protrudes above the boundary wall and is an anomalous feature, but it does not purport to form a boundary treatment and the original wall remains intact, as do views of the dwelling itself. A number of the dwellings have erected timber fencing along their shared garden boundaries to screen views between neighbours; however, these are set below street level and do not form obvious features in vistas along the street. Thus, none of these features are comparable to the proposed fencing or offer justification for it.
10. The appellant has also referred to a number of other examples in the area. I visited these, but in each case noted differences in the site context or particular form of boundary treatment. In particular, none of the examples related to a property in an architecturally consistent group. At 2A Gillott Lane I saw was old fencing secluded under tall boundary trees, whilst No 4 had fencing to its side elevation, not above the stone front wall. 95 Morthen Lane is a single dwelling which also has fencing well hidden under trees and not disruptive of a broader, consistent boundary treatment in the street. I saw timber entrance gates to 9-15 Morthen Road and along Church Lane but no comparable forms of fencing. Consequently, these examples are not persuasive of a pattern of similar development and they do not alter my considerations on the proposal.
11. For these reasons, I conclude that the proposal would fail to preserve or enhance the character and appearance of the WCA, contrary to Policies CS23 and CS28 of the Core Strategy (September 2014) and Policies SP41 and SP55 of the Sites and

Policies Document (June 2018) which require high quality development that positively contributes to the local character and distinctiveness of the area, having regard to the form and grain of surrounding development. They further support proposals which conserve and enhance the heritage significance and setting of the borough's heritage assets, including the preservation or enhancement of the special character or appearance of Rotherham's conservation areas.

12. Moreover, although not cited on the decision notice, there would be conflict with Policy GP5 of the WNP which requires proposals to preserve and enhance the character and appearance of the WCA, in particular through retention of existing stone boundary walls and incorporation of new means of enclosure in a way which complements those already in existence.
13. Having regard to the Framework, the development in this case would result in less than substantial harm to the significance of a designated heritage asset. In this circumstance, the Framework requires that the less than substantial harm should be weighed against the public benefits. The appellant states that the front garden is their only external amenity space and is in full view to passers-by from the street. The fencing would form a privacy screen to address this issue. I have some sympathy for the appellant's situation, but the benefit in this case would be private rather than public. Moreover, I am not persuaded that the proposal would be wholly effective in ensuring privacy as clear garden views could still be had around the sides of the fencing. It has also not been demonstrated that this is the only means by which privacy could be achieved, with the hedgerow at No 3 a nearby example of a less harmful alternative. Therefore, I afford these benefits only limited weight in favour of the proposal.
14. Overall, I find that there are no public benefits in this case that would outweigh the less than substantial harm to the heritage significance of the conservation area, to which I afford great weight. As such, the Framework indicates that this provides a clear reason for refusing the proposal, and this is a significant material consideration in the overall planning balance.
15. Separately, Paragraph 216 of the Framework states that in weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The proposal would result in a small but conspicuous change to the appearance of the host dwelling, which I have found would undermine the surviving consistency and integrity of the group forming the NDHA and undermine appreciation of its historic and architectural interest. The asset has local rather than regional or national significance; and given the degree to which its significance would be harmed, it is a matter attracting further limited weight against the proposal.

Conclusion

16. For the reasons given, the proposal would conflict with the development plan, taken as a whole. There are no material considerations, including the Framework, that indicate the appeal should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

K Savage

INSPECTOR