



Appeal Decision

Site visit made on 25 February 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 March 2025

Appeal Ref: APP/X4725/W/24/3354573

Willow Park Social Club, Baghill Lane, Pontefract WF8 2HD

- 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 Mrs Michelle Foster against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 24/00560/FUL.
 - The development proposed is fence to highway.
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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 area.

Reasons

3. The appeal site comprises a single storey building and associated land, with parking to the rear and an outdoor seating area to the front. It is located in a prominent corner position, at the junction of Western Avenue and Baghill Lane. The area to the front and side, to which the appeal relates, was previously enclosed by a low boundary wall. This maintained a considerable degree of openness to the front and side of the site and in the setting of the junction.
4. The surrounding area is predominantly residential in nature, though there are a collection of commercial uses at ground floor along this stretch of Baghill Lane. On the opposite side of Western Avenue is a single storey fish and chip shop, with an unenclosed parking area to the front and a high fence to the side and rear. Other non-residential uses on this side of the road also feature open frontages onto the street. Residential properties feature a mixture of boundary enclosures of varying heights. In the setting of the junction however, these are typically formed of low boundary walls or fences to the front and / or side, often with vegetation behind.
5. The surrounding context described above adds activity to the street scene at ground floor and softens the boundaries between the adopted highway and private properties along the road. This positively contributes to the character and appearance of the area. There are notable exceptions to this in the immediate vicinity where tall timber fencing has been installed against the footpath, including in the southeast corner of the appeal site, at the adjoining property and adjacent to the fish and chip shop opposite. These examples do not positively contribute to the

prevailing character and appearance of the area however they are set further back from the junction, reducing their impact on its openness.

6. The development has introduced a tall, closed timber fence along the full length of the front and side boundaries of the site. While it has been designed to match existing fencing, it entirely encloses the outdoor seating area, creating an inanimate frontage and a hard, obtrusive boundary against the footpath. This has eroded the open character of this corner and is out of keeping with the prevailing approach to front boundary enclosures in the immediate vicinity, particularly at non-residential properties.
7. The development therefore has a harmful effect on the character and appearance of the area. It conflicts with Policies SP23 and LP56 of the Wakefield District Local Plan 2036 Adopted 24 January 2024 (the Local Plan). These policies, among other provisions, seek to ensure that new development incorporates sustainable spaces and landscaping of high-quality design, respects and enhances the character, function and overall quality of the locality, provides a quality setting within the development and incorporates high quality boundary treatment while relating positively to surrounding streets, services and amenities.

Other Matters

8. I recognise that the development creates separation between the outdoor seating area and public realm and provides privacy and security for patrons of the Social Club. It may also have some limited mitigating effect on noise and disturbance arising from outdoor activities at the site, though there is no substantiated evidence of this before me. These factors are of limited public benefit however and would not outweigh the identified harm and development plan conflict.
9. Other than where set out above, I have not identified conflict with any other relevant parts of the development plan or national policy and guidance, including no harm to the living conditions of the occupiers of neighbouring properties. However, the absence of harm or development plan conflict with respect to other relevant matters weighs neither for nor against the development.
10. The application received no public objections. However, the absence of comments in support or against the application does not in itself demonstrate that the development is acceptable in respect of the main issue.

Conclusion

11. The development conflicts with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR