



Appeal Decision

Site visit made on 11 April 2025

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2025

Appeal Ref: APP/X4725/W/24/3352595

6 Brookfield, South Kirkby, Pontefract, Wakefield WF9 3DL

- 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 Mr Dan Hall against the decision of Wakefield Metropolitan District Council.
- The application Ref is 23/02070/FUL.
- The development proposed is boundary wall between 6 and 8 Brookfield. Wall length 5.7m. Wall height 1.7m.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the site visit, I observed that the wall had been constructed and I have therefore dealt with the appeal on a retrospective basis. Furthermore, I noted that a wall and pillars had also been constructed along the front boundary of the appeal property, adjacent to the back of the footway. This front section of wall does not form part of the appeal scheme and thus has not been considered as part of my decision.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the area; and,
 - highway safety.

Reasons

Character and appearance

4. Brookfield is a residential street which, close to the appeal site, is characterised by bungalows with open plan frontages.
5. The wall constructed between the properties at No. 6 and No. 8 is not in keeping with the existing boundary treatments I observed in the locality. Through a combination of its height, mass, and siting forward of the dwelling, the wall appears as an obtrusive and dominant feature within the street scene.
6. I acknowledge there are other examples of boundary treatments which sit forward of the dwellings on this street, including vegetation, fencing, low walls and pillars. However, I have not been provided with the planning history details of these other boundary treatments. In any case, each application must be judged on its own merits.

7. Nevertheless, even if I were to accept that these other boundary treatments are, as claimed, immune from enforcement action and form a permanent part of the street scene, I found that they were not as visually imposing or solid in appearance as the wall constructed at the appeal site. These other boundary treatments are therefore not as prominent. Nor do they cause the visual harm identified above.
8. My attention has also been drawn to existing boundary walls which enclose the rear garden areas of some two-storey dwellings on Brookfield. However, these walls do not project forward of the main front elevation of the dwelling and thus are not comparable to the appeal scheme before me. Additionally, these other walls do not form part of this section of the street and therefore do not form part of the same largely open plan street scene.
9. In view of the above, I conclude that the wall causes significant harm to the character and appearance of the area. The development therefore fails to comply with Policy LP57 of the Wakefield District Local Plan 2036 (2024) (LP) where, among other things, it requires development to respect the character and scale of the location and to not result in significant harm to the character of the area.

Highway safety

10. As a result of its height and siting the wall does have some impact upon the visibility of drivers as they leave the driveways of the properties either side. However, Brookfield is a quiet residential street. Also, other properties have similar levels of visibility where the driveways join the highway.
11. Moreover, due to the short length of the driveways, cars joining the public highway do so from an almost stationary position, therefore travelling at a low speed. This will allow drivers sufficient time to react to any passing vehicles on the road or pedestrians using the footway, and vice versa.
12. As such, I do not find that the development has an unacceptable impact on highway safety in this location. I therefore find no conflict with LP Policy LP27 where it requires new developments to ensure suitable access whilst not presenting an unacceptable impact on highway safety; and take into account the features of surrounding roads and footpaths, and provide adequate layout and visibility, to allow the development to be accessed safely.
13. I also find no conflict with paragraph 115 of the Framework which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Other Matters

14. I note interested parties comments on the improvements the appellant has made to the dwelling and the positive impact this has had upon house prices in the area. Comments have also been made that the occupiers of the neighbouring property are out of the country for large parts of the year. These are not however matters which alter my conclusion above.

Conclusion

15. The development does not have an unacceptable impact on highway safety. However, for the reasons given, I have concluded that it causes significant harm to the character and appearance of the area.

16. The development therefore conflicts with the development plan taken as a whole and there are no material considerations, including the Framework, to suggest the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, the appeal is dismissed.

R Major

INSPECTOR