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## Appeal Decision

Site visit made on 1 July 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 16 July 2025**

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**Appeal Ref: APP/G4620/D/25/3366441**

**43 Gospel Oak Road, Tipton, Sandwell, DY4 0DR**

- 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 G Singh against the decision of Sandwell Metropolitan Borough Council.
  - The application Ref is DC/25/70197.
  - The development proposed is retention of boundary wall however with improvements to existing wall to improve appearance, vision onto public footpath and highway, maintaining level of security.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The development the subject of this appeal has largely taken place and is referred to as “the development” below. The appellant proposes the retention of a boundary wall and railing, together with some alterations to its existing appearance.

### Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area.

### Reasons

4. The appeal property is a modern two storey detached dwelling. It is located opposite a petrol filling station in what is otherwise a predominantly residential area, largely characterised by the presence of two storey detached, terraced and semi-detached dwellings.
5. Houses in the area are set back from the road, mostly behind front garden and/or parking areas and have gardens to the rear. This and the presence of occasional trees provides for a pleasant, open and spacious character.
6. This sense of openness and spaciousness is further enhanced as a result of the treatment of front boundaries. Whilst a number of properties in the area open directly onto Gospel Oak Road, without any front boundary features, most tend to have either low railings, low wooden fence panels or low brick walls. In combination, these open and low boundaries appear unassuming and contribute significantly to the area’s spacious qualities.

7. In stark contrast, the development the subject of this appeal comprises a tall and dominant feature. Tall, rendered pillars are located to either side of two tall pairs of solid gates to the property's front boundary to Gospel Oak Road. It is proposed that these gates and pillars be separated by a low wall with railings above.
8. The gates and pillars, due to their height, solid nature and overall appearance draw attention to themselves as incongruous boundary features entirely unlike any other in the area. As such, they draw the eye as unduly prominent features.
9. Together with the proposed low wall and railings, which themselves would reach a height significantly taller than the low walls and fences common to the surrounding area, the gates and pillars would present a front boundary that would result in an alien sense of enclosure and that would detract significantly from the area's open and spacious qualities.
10. Taking all of this into account, I find that the development harms the character and appearance of the area, contrary to the National Planning Policy Framework; to Policy ENV3 of the Black Country Core Strategy (2011); and to Policy SAD EOS9 of the Sandwell Site Allocations and Delivery Development Plan Document (2012), which together amongst other things, seek to protect local character.

#### **Other Matters**

11. In support of the proposal, the appellant states that the property is one of a number of residential units enlarged to meet family needs, that the boundary feature provides additional security due to recent burglaries and that the boundary wall reflects the size of the dwelling.
12. Dwellings in the area are of different types and sizes, yet as noted above, there is a commonality to front boundary treatments which makes a positive contribution to local character. Consequently, the development the subject of this appeal is not justified by the size of the appeal dwelling.
13. Whilst security is an important concern, there is nothing before me to demonstrate that the only way to achieve it is via the development the subject of this appeal, which appears in stark contrast to the boundaries of other dwellings in the area and which as set out above, results in significant harm to local character.

#### **Conclusion**

14. For the reasons given above, the appeal does not succeed.

*N McGurk*

INSPECTOR