



Appeal Decision

Site visit made on 14 October 2025 by J Reed MPlan

Decision by K Allen MEng (Hons) MArch PGCert ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/X4725/D/25/3370144

1 Foulby Farm, Doncaster Road, Foulby, Wakefield WF4 1PY

- 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 & Mrs Lee Crampton against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 25/00514/FUL.
 - The development proposed is fence above existing boundary walls (retrospective) and entrance gate.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. From my site visit I saw that the development had been commenced. The development appears to be in accordance with what is shown on the submitted plans, although in any event I have dealt with the appeal on this basis of the submitted plans.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, having specific regard to the identification of the appeal property as a Non-designated Heritage Asset.

Reasons for the Recommendation

5. The appeal property is a traditional detached stone barn conversion in a group of four others of a similar design and proportions. Each dwelling possesses an area of private amenity space with a stone wall boundary treatment which matches the material pallet of the host dwelling. Along with the other barn conversions at Foulby Farm, the appeal dwelling has been identified as a non-designated heritage asset (NDHA) and as a building of local interest.
6. Although the recognition of the appeal dwelling as a NDHA provides no additional planning controls, the fact that a building has been recognised by the council in this manner means that its conservation as a heritage asset is an object of the

National Planning Policy Framework (2024) (the framework) and a material consideration when determining the outcome of a planning application or subsequent appeal. Paragraph 216 of the Framework requires, amongst other things, that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application, and in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

7. The significance of the group of conversions at Foulby Farm as a non-designated heritage asset and as buildings of local interest is derived from their group value. The buildings uniformed material pallet and modest boundary treatments contribute positively to the character and appearance of the area.
8. This value was recognised in the original approval for the appeal site (01/99/23376/C) where two conditions were included providing the council control over the boundary treatments for the dwellings at Foulby Farm and any subsequent changes in order to maintain the continuity and open relationship that the conversions share as part of their collective group.
9. The fence installed above the existing wall appears as a dominant, stark and unwelcoming visual barrier that fails to reflect the open character of its immediate surroundings, resulting in an uncharacteristic and incongruous feature in the street scene with a lack of visual permeability. This would also be the case with the proposed gate which would infill the open section of boundary treatment with a further incongruous feature. By virtue of their design, the fence and accompanying gate would not readily assimilate into the prevailing character of the area. Their prominence is further exacerbated by the dark material pallet appearing at odds with the boundary treatments seen within the surrounding area and whilst I note that some landscaping and screening could be included as part of the proposals this would not alleviate the harm I have identified.
10. There are limited examples of other tall boundary treatments to front gardens in the local area. The examples evident are of various heights, with some referenced by the appellant as setting a precedent. However, I observed such examples to be limited in number, and they do not represent a defining or prevailing positive characteristic boundary treatment in the surrounding area. In any event, I do not know the circumstances of those examples or the development plan policies that applied at the time of their consideration. In addition, in the case of the appeal site the installation of an inappropriate structure above an existing wall results in harm to the character and appearance of the non-designated heritage asset and the character and appearance of the area.
11. I therefore conclude that the proposal would harm the character and appearance of the host property and in turn harm the significance of the non-designated heritage asset. It would therefore fail to comply with Policies SP23, LP62, LP63, LP64, LP65 and LP56 of the Wakefield Metropolitan District Local Development Framework (2009). These policies seek to ensure, amongst other things, that development conserves and enhances the district's historic assets and their contribution to the local distinctiveness and character of the district.

Other Matters

12. The appellant has suggested various amendments that could be made to the appeal scheme including to its design. In any case, the appeal process should not be used as a means to evolve a scheme and what is before me should be what the Council issued a determination on. Any changes should be addressed with a fresh application to the Council in the first instance.
13. I understand the wishes of the appellant to utilise a material that would require minimal maintenance. However, such a personal benefit does not outweigh the harm identified.
14. The appellant has also indicated that they would be willing to accept a temporary approval however this would not alleviate the harm in regard to the main issue that I have found in my assessment above.
15. I have also considered the rights of the appellant under Article 1 of the First Protocol and Article 8 of the Human Rights Act 1998. Article 1 of the First Protocol states that every person is entitled to the peaceful enjoyment of their home. Article 8 affords the right to respect for private and family life. Dismissal of the appeal would interfere with the appellant's rights under both Article 1 of the First Protocol and Article 8. However, these are qualified rights, and any interference may be justified where it is in accordance with the law and is necessary in a democratic society, applying the principle of proportionality.
16. I acknowledge that the consequence of dismissing the appeal would have the potential to reduce the appellant's enjoyment of their garden. However, the harm I have identified to the character and appearance of the area is such that dismissal of the appeal would be a proportionate and necessary response that would not violate the appellant's rights under Article 1 of the First Protocol or Article 8. The protection of the public interest cannot be achieved by means that are less interfering of their rights.
17. I acknowledge the appellant's reasons for seeking more security for their vehicles and privacy on the appeal site. However, it has not been robustly demonstrated that other, potentially less harmful alternatives to the appeal scheme could not also address those needs. The Council did not identify harm in respect of the Green Belt, residential amenity, highway safety, biodiversity or climate change and sustainability. However, an absence of harm in these matters means they are neutral considerations in the overall planning balance.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed

K Allen

INSPECTOR