



Appeal Decision

Site visit made on 20 February 2018

by Elaine Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2018

Appeal Ref: APP/F4410/D/17/3192359

115 The Park, Woodlands, Doncaster, DN6 7RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Tracy Draper against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 17/01886/FUL, dated 19 July 2017, was refused by notice dated 3 October 2017.
 - The development proposed is the erection of a 1.8m boundary wall with railings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For the sake of clarity I have taken the description of the proposed development from the Council's decision notice, although I have also had regard to the description of the proposed works included at section 3 of the application form.
3. The wall is already in place and is infilled between the brick piers with timber fence panels. An application to retain these has been previously refused. The appeal scheme seeks the retention of the wall but with railings instead of the fence panels. As such, I will continue to refer to it as a proposal.

Main Issues

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Woodlands Conservation Area.

Reasons

5. The appeal property is a semi-detached house. It is within the Woodlands Conservation Area which covers a residential area that is described as a model village and comprises one of the borough's earliest examples of a garden city layout (as modelled on Ebenezer Howard's Garden Cities of Tomorrow). The original intention was to create a bright and healthy living environment for the mining community and the Woodlands was considered to be a highly innovative planning and design concept at the time.
6. Whilst I note the appellant's view that the area is no longer a pretty mining village, the Woodlands retains good examples of early 20th century domestic suburban architecture and its characteristic public open spaces. These include the large central area of open space at The Park along with smaller green

spaces, open squares and wide tree-lined avenues with broad grass verges. These all contribute to the spaciousness of the area and are part of the original garden city concept. The appeal property is set behind a crescent of grass at one corner of the central open space at The Park. Along with the other dwellings nearby, it plays a role in defining the residential character of the area, which is part of the Conservation Area's significance as a heritage asset.

7. The proposed wall and railings would reach a total height of around 1.77 metres and would enclose all of the appeal property's front and side garden. I appreciate that the removal of the existing fencing and its replacement with railings has been discussed as a compromise way forward with the Council's Conservation Officer following the refusal of the previous scheme. Even so, at 1.12 metres tall, the main part of the wall is high in itself. The brick piers are also tall and quite closely spaced. Whilst the railings would provide more openness than the existing fence panels, they would only be 0.65 metres high and positioned on top of the wall in relatively short sections between the numerous brick pillars. As such, they would make up only a relatively small proportion of the overall boundary enclosure.
8. The properties flanking The Park for the most part have low level boundary treatments as originally intended, although some taller hedges and planting are also evident. These contribute to the generally spacious and open plan character of the area and its green and leafy appearance. In this context, the proposal would be seen as an unduly tall and substantial structure. It would create a formidable and dominant means of enclosure that would be directly at odds with the others nearby. The wall has been constructed on the appellant's own land in locally sourced red brick by qualified tradesmen. I also note the appellant's argument that the proposal's innovative design is intended to combat drab uniformity in the area. However, in my opinion it would be seen at the back edge of the grassed area in front of the appeal property as a prominent and incongruous feature in the street scene that would seriously detract from the more open plan and spacious character of the wider area.
9. Greenery would be grown up the wall and along the railings to help the proposal blend into its surroundings. The appellant also considers that the proposed planting would provide a contemporary response to the vision of a garden suburb and would encourage wildlife including birds. Nevertheless, I am not convinced that any such planting would disguise the proposal's overall size or soften its appearance to any significant extent. Thus, it would be insufficient to mitigate its unsatisfactory visual impact.
10. The appellant cites examples of solid walls and fences (including corrugated sheeting and foam panels) within a few minutes' walk of the appeal property. I acknowledge that the Conservation Area as a whole covers a wider area than just those properties surrounding The Park. However, I am not aware of the circumstances that led to those boundary enclosures, including whether they have planning permission or share the same context as the appeal property, so I cannot be sure that they are the same as those in the case before me. At my visit, I saw no such examples in the immediate vicinity of the appeal property. Whilst the appellant also refers to a wall at No 27, the Council advises that it is the subject of enforcement enquiries. In any event, the existence of any other such development nearby is not in itself a reason to allow a proposal that would be harmful.

11. I have also had regard to the Council's argument that the appeal proposal would set a precedent for other similar developments in the surrounding area. Whilst each application and appeal must be considered on its individual merits, I can appreciate the Council's concern that the approval of this proposal could be used in support of similar schemes. I consider that this is not a generalised fear of precedent, but a realistic and specific concern. Although I note the appellant's feeling that she has been made an example of, it seems to me that to allow this appeal would make it more difficult for the Council to resist further planning applications for similar developments, the cumulative effects of which would exacerbate the harm I have described above.
12. Bringing matters together, by virtue of its height, form and prominence, the proposal would fail to be in keeping with, and would detract from the character and appearance of the area, which is of significance to the area's heritage. Paragraph 131 of the National Planning Policy Framework (the Framework) indicates that the desirability of sustaining and enhancing the significance of heritage assets should be taken into account in determining planning applications. Whilst the proposal would lead to less than substantial harm to the significance of the Conservation Area (as described at paragraphs 133 and 134 of the Framework), the harm caused would nevertheless be material.
13. I therefore conclude that the proposal would fail to preserve or enhance the character or appearance of the Woodlands Conservation Area, and would adversely affect the significance of this designated heritage asset. This would be contrary to Policy ENV25 of the Doncaster Unitary Development Plan which states that within Conservation Areas new development will be expected to preserve or enhance the character or appearance of the area. Development will not be permitted if it would detract from the character or appearance of the area by virtue of its nature, height, density, form, scale, materials or design. It would also conflict with the core planning principles of the Framework of preserving the significance of designated heritage assets and securing high quality design.

Other matters

14. In accordance with paragraph 134 of the Framework, the harm I have identified to the significance of the Conservation Area must be balanced against any public benefits.
15. The proposal replaces a substantial hedge which was falling down and restricted access to the footpaths surrounding the appeal property. There were safety concerns that it could fall onto someone and its removal makes it easier for deliveries to be made using the footpaths. The appellant was not aware that she needed planning permission or would have applied prior to having any works done. She also refers to positive comments received from some neighbours and visitors to the property in relation to the existing boundary enclosures. The front garden is regarded as the appeal property's main amenity space and I appreciate that the proposal makes the garden secure for the appellant's dog and grandchild as well as in terms of burglaries. It also helps to screen views into the house.
16. That said, I am mindful that the benefits of the removal of the hedge are not directly attributable to the appeal scheme. Whilst the house is set at a slightly lower level to the garden, the change in levels is not great, and the position of the appeal property in its plot and layout of its amenity space is the same as

that of the other dwellings in this part of The Park. On this basis, I see no reason why alternative less substantial boundary treatments could not provide the security and privacy benefits referred to. Therefore, even taken together, these benefits of the proposal are insufficient to outweigh the harm I have identified in relation to the main issue.

17. There are no objections from the Council's Highway Officer or from immediate neighbours. The absence of harm in these regards counts neither for, nor against the proposal.
18. Whilst I note the appellant's reference to a further compromise position, incorporating an amendment to the wall to remove some of the pillars, that is a matter between the appellant and the Council. The merits of any such alternative scheme are not before me for consideration. I confirm that I have determined the proposal on the basis of the plans refused by the Council which are the subject of this appeal.

Conclusion

19. For the reasons set out above, I conclude that the appeal should be dismissed.

Elaine Worthington

INSPECTOR