



Appeal Decision

Site visit made on 17 August 2022

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2022.

Appeal Ref: APP/L3245/D/22/3301849

245 Wenlock Road, Shrewsbury, Shropshire SY2 6SA

- 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 Mr G Corfield against the decision of Shropshire Council.
 - The application Ref: 22/01706/FUL, dated 30 March 2022, was refused by notice dated 9 June 2022.
 - The development proposed is retrospective application for the retention of boundary wall with timber inserts and sliding gates to the front of the property.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of boundary wall with metal fencing and sliding gates to the front of the property at 245 Wenlock Road, Shrewsbury, Shropshire SY2 6SA, in accordance with the terms of the application ref: 22/01706/FUL, dated 30 March 2022 and subject to the conditions in the schedule at the end of this document.

Preliminary Matters

2. The development had been carried out prior to the application to the Council. I have determined this appeal on the basis of the Council's amended description of development as "erection of boundary wall with metal fencing and sliding gates to the front of the property" as it is more precise.

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the streetscene and surrounding area, and
 - the effect on pedestrian safety.

Reasons

Character and appearance

4. No.245 Wenlock Road is a detached house situated next to two neighbouring detached houses and an open area of land which is under development as the Shrewsbury Business Park. The frontages to development in the immediate area vary. No.241 Wenlock Road has an open frontage and No.243 is mainly open with a section of front boundary hedge. Prior to the development being carried out the appeal dwelling had two separate access points to Wenlock

Road, separated by a central section of hedge and a low vertical timber fence. No.245 has been re-styled and has a marked difference in its character and appearance when compared with the two neighbouring dwellings.

5. The walls, sliding gates, metal inserts and associated lighting which have been erected at No.245 contrast with other front residential boundaries because of the contemporary design, styling, colour and use of materials. However, the new frontage does complement the modern character and appearance of the re-styled house at the appeal site. It is also seen in the context of the adjacent modern commercial development that exists to the south and which will be added to as other units are constructed and further changing the appearance of the Wenlock Road frontage.
6. The appellant has offered to paint the colour of the walls and pillars, suggesting a Dove grey colour to match that used in the dwelling. It is also suggested that the lighting could be restricted or excluded. The appellant has not indicated that the lighting forms a function other than being decorative and I see no reason why it could not be removed. Both these measures would reduce the visual impact of the development and may be subject to appropriate conditions.
7. In view of the setting of the site, the modern restyled design of the house and its situation as the last dwelling at this side of Wenlock Road near to the development site, I consider that, subject to conditions, the development would cause no significant harm to the character and appearance of the street scene and surrounding area. It would therefore fail to conflict with Shropshire Core Strategy policy CS6 which indicates that all development should be in scale taking into account the local context and character. It would fail to conflict with Shropshire Council Site Allocations and Management of Development (SAMDev) Plan policy MD2 which, amongst other things, requires development to respond appropriately to the form and layout of existing development including scale. It would also not conflict with the objective of achieving well designed places in the National Planning Policy Framework.

Effect on pedestrian safety

8. The appeal site is just within the 30-mph restricted zone. The Highway Authority has stated concerns with the lack of intervisibility with pedestrians when vehicles are leaving the site and with the principle of electric gates across the access/egress point, potentially resulting in vehicles waiting on the highway whilst they are being opened and closed. It seems to me that the previous situation including hedging would also have had restricted intervisibility for pedestrians and it is possible that the opening and closing of the electric gates would still provide some warning for footway users that a vehicle was about to leave or enter.
9. I note that a previous permission ref: SA/84/1116 related to the formation of a second point of access to the property and approved gates "so arranged that they cannot open over the highway". The provision of gates would have similarly required vehicles on some occasions to wait on the highway or be parked whilst they were opened to allow access. The appellant has advised that the Council does not dispute that a 1 m high front wall and gates could be provided for the property under permitted development rights. I see little

difference between the effect on the free flow of traffic from the use of electric gates as proposed, or hinged gates as previously granted permission.

10. I consider that the development would cause no significant increased harm to pedestrian safety. The development would therefore comply with Policy CS6 of the Local Development Framework Core Strategy which, amongst other things, seeks to ensure that development is safe and accessible. It would also comply with policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan in terms of sustainability. The development would also not conflict with paragraph 111 of the National Planning Policy Framework, which indicates that development should only be prevented or refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Conditions

11. I have included a condition to confirm the approved plans. Conditions requiring the removal of external lighting for the development and to paint the stonework, including the walls and pillars, are imposed in order to ensure that the visual impact of the development is acceptable in the street scene.

Conclusion

12. I have taken all other matters raised into account. For the reasons given above, I conclude that the appeal should be allowed subject to conditions.

Martin H Seddon

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 2019-M1(00)(0001) proposed site plan and 2019-M1(00)(0002) existing and proposed elevations.
- 2) Within 3 months of the date of this permission all lighting associated with the development hereby permitted shall be removed and no lighting shall be installed thereafter.
- 3) Within 3 months of the date of this permission the stonework of the development hereby permitted shall be painted in colour BS381C 694, Dove Grey and thereafter retained in that colour.