



Appeal Decision

Site visit made on 5 January 2010

by **R J Eagle BA**

**an Inspector appointed by the Secretary of State
for Communities and Local Government**

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**Decision date:
27 January 2010**

Appeal Ref: APP/R1845/A/09/2114211

The Gables, Franche Road, Wolverley, Kidderminster DY11 5TU

- 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 Roger Marsh against the decision of Wyre Forest District Council.
- The application, Ref. 09/0440/FULL dated 21 May 2009, was refused by notice dated 5 August 2009.
- The development proposed is taking down existing wall and replacing with new wall.

Decision

1. I allow the appeal, and grant planning permission for taking down existing wall and replacing with new wall at The Gables, Franche Road, Wolverley, Kidderminster DY11 5TU in accordance with the terms of the application, Ref. 09/0440/FULL dated 21 May 2009, and the plans submitted with it.

Main issue

2. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

3. The development, which has been carried out, is the construction of a replacement wall along the front boundary of The Gables. Details of the previous wall are limited but the Council acknowledge that the principle of a wall no more than 1.5m high has been established. The adjacent ground level has been lowered during construction and the new wall is now between 1.4m and 1.8m high. The highest points are generally 4 piers which flank two access points, although one section of the wall itself is around 1.75m high.
4. The wall is set back from the pavement and the vehicular access gaps break up its appearance. Although more noticeable than a wall with fence above, as the previous boundary enclosure, I do not consider it is especially prominent in the streetscene. Although there is undeveloped land some distance to the south, The Gables is clearly within a residential area with a variety of front boundary enclosures in the vicinity. These include relatively high hedges and shrubs and a continuous length of wall and fence along the front boundary opposite The Gables.
5. Having regard to the fall back position of a wall 1.5m high, I consider this development does not materially harm the character and appearance of the surrounding area and complies with Policies D.3, D.5 and D.10 of the 2004 Wyre Forest District Local Plan. Accordingly, the appeal should succeed. No

conditions have been suggested by the Council and I agree none are necessary.

Roger Eagle

INSPECTOR