The Planning Inspectorate

Appeal Decision

Site visit made on 13 August 2012

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 17 September 2012

Appeal Ref: APP/H1033/A/12/2170665
1 Springfield, Glossop, Derbyshire, SK13 5DW

- 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 Terry Smith against the decision of High Peak Borough Council.
- The application Ref HPK/2011/0536, dated 1 November 2011, was refused by notice dated 21 December 2011.
- The development proposed is described as move existing garden boundary wall to enclose grass verge. Rebuild wall to 0.9 metres (Mr Smith has the responsibility of maintaining the verge shown on his deeds. There will be no planting of trees/shrubs etc in the new area keeping the splay line view clear).

Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue in this case is the effect of the proposal on the character and appearance of the street scene.

Reasons

3. Nos. 1 and 7 are situated opposite one another on the corner sites at the entrance to Springfield off Marple Road. The side garden of each of these properties that fronts onto Marple Road is enclosed by a low wall, which is set back from the footway along the southwestern side of the road beyond a wide highway verge. Together these verges give the entrance to Springfield a balanced and open appearance, which in turn enhances the character and appearance of the street scene.

4. The proposal would involve the extension of the side garden of No. 1 to include the adjacent highway verge. The existing boundary wall around the side garden of No. 1 would be removed, the level of the verge would be raised and it would be enclosed along its boundary with the adjacent footway by a new wall. Whilst the appellant has indicated that no tree/shrub or hedge planting would be carried out within the new garden area, the proposed wall, at around 0.9 metres high, would be materially taller than those which currently enclose the side gardens of Nos. 1 and 7. The proposal would unbalance and diminish the openness of the entrance to Springfield.

5. The appellant has drawn my attention to the entrance to Tomwood Rise on the opposite side of Marple Road. However, this entrance is materially different

from both the existing layout at the Springfield entrance as well as the unbalanced arrangement which would result from the proposal. The properties on both corners at the entrance to Tomwood Rise have boundary walls that adjoin the back edge of a footway. In any event, each case must be considered primarily on its own merits and, in my judgement, the circumstances at Tomwood Rise would not justify harmful development at the appeal site.

6. I conclude that the proposal would cause unacceptable harm to the street scene. Therefore, it would conflict with Policy GD4 of the *High Peak Local Plan, 2005* and it would not add to the quality of the area, contrary to the aims of *The National Planning Policy Framework* (the Framework).

Other matters

7. I note that the Highway Authority does not object to the proposal. I also understand that the appellant is responsible for maintaining the highway verge adjacent to his side garden and I have had regard to his view that the proposal would make maintenance easier, preventing dog fouling on the verge and the grass being churned up by horses. However, in my judgement, neither these nor any other matters raised are sufficient to outweigh the considerations which have led to my conclusion on the main issue. Furthermore, I consider that, having had regard to the terms of the Framework, the proposal would not amount to sustainable development.

Conclusion

8. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR