
Appeal Decision

Site visit made on 2 September 2026

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 September 2026

Appeal Ref: 6010905

34 Coalport Road, Broseley, Shropshire TF12 5AZ

- 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 Adam Wilson against the decision of Shropshire Council.
 - The application Ref is 25/03794/FUL.
 - The development proposed is erection of a garden fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A new version of the National Planning Policy Framework (the Framework) was published on 17 August 2026. The policy emphasis of the parts of the Framework most relevant to this appeal have not changed. As a result, I have not sought comments on the new version of the Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. 34 Coalport Road is located on a corner plot at the junction between Coalport Road and Forester Road, which marks an entrance to a housing development consisting of similar age and style properties. The layout of the housing development is predominantly open plan, with high boundary treatment generally set back from the highway behind landscaping or open grassland.
5. My attention has been drawn to a number of examples on the housing development, where there is high boundary treatment, such as walls or fences, immediately next to the back of the pavement. I found that these presented themselves in very stark contrast to the overall street scene.
6. Although the existing high brick garden wall at No. 34 that faces Forester Road would remain, a new high fence would be positioned to the back of the pavement. This would consume the sizeable strip of grass, and some landscaping, between the existing garden wall and the side of the house, and the pavement. Consequently, this would introduce a visually intrusive feature that would result in the erosion of the prevailing open and verdant character and appearance of the

area. The harm would be compounded by the prominent position of the site at a wide and spacious gateway into the housing development.

7. Whilst the approved¹ boundary wall at 1 Tarbach Close is positioned to the back of the pavement, its length is noticeably shorter than the appeal scheme before me and is also located within the housing development rather than at a key entrance. I have found material differences between this approved wall and the proposed fence, and its presence does not overcome the harm that I have otherwise found.
8. Claims that a 1m high fence could be erected along the property's boundary with the highway without planning permission are noted. However, this would not be a high boundary treatment and therefore would be less dominant than the proposal.
9. For the above reasons, the proposed development would have an unacceptable effect on the character and appearance of the area. It would be contrary to Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (March 2011) (Core Strategy) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (17/12/2015) (SAMDev Plan). Together these require, amongst other things, all development proposals to be appropriate in design, taking into account the local context and character, and those features which contribute to local character.

Other Matters

10. The arrangement of a grass strip next to No.34 is similar to others in the locality. Although the proposal would increase the size of the garden and address concerns surrounding the maintenance of the grass strip as a result of littering and dog fouling, these factors are not sufficient to outweigh the significant harm that would be caused by the new fence on the character and appearance of the area.
11. It is asserted by the appellant that the proposed development has support from neighbours. Nevertheless, this does not outweigh my concerns detailed above.
12. I acknowledge the appellant's comments over the Council's handling of the application, including the absence of an officer report and that no photographs were taken by the case officer during their site visit. However, this is not a matter that I can consider under a section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Planning Balance and Conclusion

13. There is consistency between Core Strategy Policy CS6 and SAMDev Plan Policy MD2, and national decision-making policy DP3 of the Framework, which seeks proposals that respond to their context, so that they integrate with and enhance their surroundings. Consequently, the proposals would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances, as set out in policy S4(2)(c). I have found that the benefits of approving the proposed development would be substantially outweighed by adverse effects, when assessed against the national decision-making policies in the Framework, and the presumption in favour of sustainable development set out in policy S4 of the Framework does not apply.

¹ Planning Decision Ref: 22/02864/FUL

14. The proposed development conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

P Barton

INSPECTOR