

## Appeal Decision

Site visit made on 7 September 2016

**by Paul Singleton BSc (Hons) MA MRTPI**

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

**Decision date: 19 September 2016**

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**Appeal Ref: APP/N4720/D/16/3154225**

**24 The Crescent, Adel, Leeds LS16 6AA**

- 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 Jessie Hanning against the decision of Leeds City Council.
  - The application Ref 16/00521/FUL, dated 24 January 2016, was refused by notice dated 19 April 2016.
  - The development is a gate and fencing to front and rear of the property boundary.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The fencing and gates to the front boundary of the property have been erected and the application sought retrospective planning permission for these works.

### Main Issue

3. The main issue is the effect on the character and appearance of The Crescent.

### Reasons

4. The grassed verges and the mature and more recently planted street trees along the length of The Crescent make a very strong contribution to the mainly open character and attractive appearance of the street. The use of hedges or a combination of walls/ fences of modest height, some with hedges above, as the predominant treatment to roadside boundaries reinforces that character by providing a soft and green frontage to most of the properties in the street and by affording views of the vegetation within the generally good sized front gardens. Although some properties are more fully screened by taller hedges these still provide a soft and green edge to the highway corridor and make a positive contribution to the street scene. A small number of properties have gates to their driveways but these are generally of an open railing form which provides filtered views into the front gardens.
  5. In contrast, the tall fencing and gates that have been erected at the appeal property are of solid and bulky appearance and fully screen the front boundary to the property. The heavy metal framing to the panels, the dark colour of the framing and panels, and the unnatural materials used in the construction of the panels all combine to give a harsh and bulky appearance which is out of keeping with the predominant form of boundary treatments within the street.
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The comparatively short length of the front boundary to the appeal property and the presence of much lower and more sympathetic boundary treatments to the properties either side also help to make the new fencing and gates stand out as alien and unattractive features in the largely green and open character of the street scene

6. Accordingly, I find that, by reason of their height and their unsympathetic style and design, the fence and gates cause significant harm to the character and appearance of The Crescent. They conflict with Leeds Core Strategy Policy P10, which seeks to ensure that new development should deliver high quality design that respects the character of its surroundings, and Policy P12 which states that the character and quality of townscapes in Leeds will be conserved. I note that Council alleges conflict with various policies of the saved Unitary Development Plan but my reading of those policies does not suggest that they are relevant to works that only affect the boundary of a residential property.

### **Other Matters**

7. An appeal has been allowed in respect of solid gates at number 16 The Crescent. Although I do not know the circumstances of that case I note that, although solid fence panels have also been used to the front boundary of that property, they are much lower in height and that their appearance is greatly softened because they stand immediately in front of a tall boundary hedge.
8. The appellant has referred to fences and gates which have been erected at other properties in The Crescent and adjoining streets. However, although I observed these properties as part of my site visit, I saw no combination of boundary fencing and gates which had the same solid and harsh appearance of those at the appeal property. I understand that the appellant erected the new fencing having received advice re the improvement of security at the property but I do not accept that an improved level of security could only be achieved by means of such an unsympathetic boundary treatment.

### **Conclusion**

9. For the reasons set out above I conclude that the appeal should fail.

*Paul Singleton*

INSPECTOR