
Appeal Decision

Site visit made on 3 May 2017

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 23 May 2017

Appeal Ref: APP/N4720/D/17/3172295

2 West Park Drive East, Roundhay, Leeds, LS8 2EF

- 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 Ms Rachael Spencer against the decision of Leeds City Council.
 - The application Ref 17/00851/FU, dated 10 February 2017, was refused by notice dated 17 March 2017.
 - The development proposed is a new boundary fence.
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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. No. 2 West Park Drive East and No. 49 West Park Crescent comprise a pair of semi-detached houses situated on a corner at the junction of the 2 roads. The roadside boundary of No. 2, either side of its driveway entrance, is enclosed by a tall hedgerow. In the vicinity of No. 2, characteristics of the West Park Drive East street scene include a tree lined highway and front boundaries of dwellings enclosed for the most part by hedgerows, relatively low walls and fences backed by taller hedgerows or low walls and fences without tall planting to the rear, which allow open views of landscaped front gardens. The front boundary enclosures of properties along West Park Crescent, in the vicinity of No. 2, generally comprise low walls backed by taller planting or topped by railings that also allow views through to landscaped front gardens. The predominance of planting softens the visual impact of the built development and gives the street scene hereabouts a verdant, attractive appearance.
 4. The proposal includes slightly widening the entrance to the driveway and replacement of the hedgerow along the roadside boundary of No. 2 with a relatively tall fence line, comprising rock faced gravel boards topped by fencing panels, with an overall height of around 1.8 metres. I consider that the resulting extensive length of relatively tall fencing, situated alongside the back edge of the footway, would have a stark and obtrusive appearance, which would detract significantly from the character and appearance of the street scene. In this area, the visual impact of front boundary fences that approach
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the height of the proposal, of which there are only a small number, reinforce my view regarding the likely adverse impact of the appeal scheme. The proposed front boundary fence would not respect the character and appearance of the locality, contrary to the requirements of Policy HDG1 of the *Supplementary Planning Document-Householder Design Guide* (SPG).

5. The proposal also involves the erection of a new boundary fence along the shared side boundary between the front gardens of Nos. 2 and 49. The Council has indicated that this section of fence line would fall within the scope of permitted development rights and I have no reason to disagree. Nonetheless, I consider that its impact on the street scene would be likely to be small, as visibility would be limited by the front boundary treatments of the 2 properties, either if they remain as they are or if the proposed front boundary fence were in place.
6. Nonetheless, I conclude overall, that the proposal would cause significant harm to the character and appearance of the street scene, with particular reference to the proposed front boundary fence. In this respect it would conflict with Policies N25 and GP5 of the *Leeds Unitary Development Plan (Review 2006)* (UDP) as well as Policy P10 of the *Leeds Core Strategy, 2014*, which, between them, seek to ensure that development is not intrusive and is in keeping with the character of the area. These Policies are consistent with the *National Planning Policy Framework* (the Framework) insofar as it supports good design and indicates that it is proper to seek to promote or reinforce local distinctiveness.
7. As UDP Policy BD6, referred to by the Council, is particularly concerned with alterations and extensions of buildings, I consider that it is little relevance in this case.

Other matters

8. Whilst the appellant has indicated that properties along West Park Crescent and West Park Drive East include a small number of buildings in multiple occupancy and a business operates from No. 49, I have not been provided with any compelling evidence to show that these uses have any significant impact on the character or appearance of the street scene in the vicinity of No. 2. I give these matters little weight.
9. Although I have had regard to the appellant's concern regarding the Council's handling of her planning application, it does not alter the planning merits of the proposed development upon which my determination is based. I give this matter little weight.

Conclusions

10. I conclude on balance, that the proposal would not amount to sustainable development under the terms of the Framework and it would conflict with the Development Plan. For the reasons given above, the appeal should be dismissed.

I Jenkins

INSPECTOR