

Appeal Decision

Site visit made on 14th June 2017

by Alison Roland BSc DipTP MRTPI

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

Decision date: 28 June 2017

Appeal Ref: APP/N4720/D/17/3174128

2 Green Lane, Lofthouse, Wakefield, WF3 3LH.

- 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 Eddie Daniels against the decision of Leeds City Council.
 - The application Ref:17/00332/FU, dated 17 January 2017, was refused by notice dated 28 March 2017.
 - The development proposed is erection of garden fence exceeding 1 metre in height.
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Procedural Matter

1. The fence in question is already in situ. Accordingly, I have dealt with this appeal on the basis of an application for retrospective permission.

Decision

2. The appeal is allowed and planning permission is granted for erection of garden fence exceeding 1 metre in height, at 2 Green Lane, Lofthouse, Wakefield, WF3 3LH, in accordance with the terms of the application Ref: 17/00332/FU, dated 17 January 2017.

Main Issue

3. The main issue in this appeal is the implications of the proposal for the character and appearance of the area.

Reasons

4. The appeal site comprises the garden of a semi-detached property set on a corner plot at the junction of Carlton Lane with Green Lane. The fence wraps around the front/side garden at the back edge of the pavement with a small inset where it abuts a vehicle hard standing.
 5. The Council put the height of the fence at approximately 1.8 metres, but measurements taken at my site visit revealed a height of between 1.50-1.56 metres which closely approximates to the appellant's estimate. Whilst I accept that the fence is prominently sited, I do not consider it appears unduly intrusive in the street scene for a number of reasons.
 6. Firstly, it is only slightly higher than the fences to both properties to either side on each return frontage. It is also of very similar design and materials, with
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timber panels fixed between concrete posts. Accordingly, it forms a logical continuum around the street corner. Secondly, there is a relatively tall timber panelled and trellis topped fence across the opposite side of Green Lane surrounding some relatively modern detached dwellings. The hedgerow growing above part of it increases its sense of enclosure still further. Irrespective of the circumstances surrounding its erection, the fact is that it is an established component of the street scene and seen in its context, the proposed fence does not look out of place.

7. Whilst it is fair to say that front gardens further along Green Lane to the West have a more open appearance, in the immediate context of its junction with Carlton Lane there is a greater diversity of front boundaries and several as described above are taller, with accordingly a stronger sense of enclosure to the gardens.
8. For these reasons, I conclude on the main issue that the proposal integrates comfortably with the prevailing character and appearance of the area. I thus find no conflict with Policies GP5 and N25 of the Leeds Unitary Development Plan (Review) (2006), or Policy HDG1 of the Leeds Local Development Framework *Householder Design Guide* Supplementary Planning Document (2012), which seek to ensure that development proposals address detailed planning considerations including design and that additions and alterations to dwellings including boundary treatments respect the character of the locality. However, I find no conflict with Policy HDG2 which deals specifically with potential impact on neighbours; a matter not raised in the Council's case or by any other party.
9. No conditions have been suggested by the Council and I consider that none are necessary.

ALISON ROLAND

INSPECTOR