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# Appeal Decision

Site visit made on 16 July 2019

**by M Cryan BA(Hons) DipTP MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29<sup>th</sup> July 2019**

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**Appeal Ref: APP/J4423/D/19/3224571**

**54 Main Avenue, Totley Rise, Sheffield, South Yorkshire S17 4FJ**

- 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 Lucy Miller against the decision of Sheffield City Council.
  - The application Ref 18/03711/FUL, dated 25 September 2018, was refused by notice dated 19 December 2018.
  - The development proposed is described as “replacement of existing boundary structures”.
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## Decision

1. The appeal is dismissed.

## Procedural matter

2. The fence which is the subject of this appeal has already been erected, and I am therefore considering the appeal retrospectively.

## Main Issue

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

## Reasons

4. Main Avenue is a suburban residential street. Most of the front boundaries along the street are low walls of brick or stone, although within that broad pattern there many variations. Some of the walls are topped with hedges, railings or low, open fences, while in a small number of cases there is no physical boundary at all. In general, the street has a pleasant, green and open character.
5. The appeal property occupies a corner plot where Sunnyvale Road joins Main Avenue, and its ‘back’ garden is at the Sunnyvale Road side of the property. The fence which is the subject of this appeal has been erected along a considerable length of the property’s boundary to both streets, behind an existing low stone wall. The fence is tall and close-boarded and, particularly when approaching along Main Avenue from the south, is prominent in views. Guidelines 1 and 2 of the Council’s Supplementary Planning Guidance, while primarily related to house extensions, advise that development should be compatible with the character of its area and should not detract from the general appearance of the street. The fence in this case is an obtrusive and

incongruous feature in the street scene, at odds with the prevailing character of the area.

6. The appellant referred to two other fences nearby and suggests that their existence should weigh in favour of the development in this appeal. Neither of those examples has the same combination of height, length, solidity and prominence as the fence in this case. That at 58 Main Avenue is similar in height to the fence in this appeal, but is open-boarded and runs only along part of the Sunnyvale Road side of that property. The fence to the electricity substation across Main Avenue is again open-boarded, and noticeably lower in height than the fence at the appeal property. In any event, even if they were more similar to the fence in this case their existence would not in itself be justification for allowing further harm.
7. I conclude that the development harms the character and appearance of the area. It thereby conflicts with saved Policy H14 of the March 1998 Sheffield Unitary Development Plan which seeks to ensure that development is well-designed and in character with the surrounding area.

### **Other matters**

8. I accept that the fence provides privacy to the side/rear garden. The appellant has also referred to an incident of vandalism to their property as well as to fear of theft and burglary. I have sympathy with these concerns and have taken them into account in reaching my decision. However, bearing in mind the general character and appearance of the area I do not consider that the stark and intrusive fence which has been erected is a necessary or acceptable response. These matters do not outweigh the harm caused to the street scene.

### **Conclusion**

9. For the reasons given above, and taking into account all other relevant matters raised, I conclude that the appeal should be dismissed.

*M Cryan*

Inspector