The Planning Inspectorate

Appeal Decision

Site Visit made on 15 June 2021

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 July 2021

Appeal Ref: APP/N4720/D/21/3274646
320 Wood Lane, Rothwell, Leeds LS26 0PW

- 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 Grant Munro against the decision of Leeds City Council.
- The application Ref 20/06237/FU, dated 29 September 2020, was refused by notice dated 20 April 2021.
- The development proposed is described as 'erecting of new fence to front boundary, including for new automatic gate for vehicles and also a separate pedestrian access gate'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development set out above is taken from the application form, but I have removed superfluous wording that does not describe an act of development.

Main Issue

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

Reasons

4. The appeal relates to a two storey detached property set within a generous sized plot and positioned well back from the highway along Wood Lane. Most of the properties along this part of Wood Lane have front boundaries marked by low walls, some with hedging behind, giving the street a pleasant soft-landscaped and spacious open character.

5. The proposal would introduce a 1.1 metre high red brick wall with a 0.5 metre high timber fence on top, and in sections between brick piers. Therefore, the boundary enclosure would rise to an overall height of 1.6 metres. In addition, a pedestrian access from the street would be provided via a brick archway and a sliding 3 metre wide, 1.6 metre high, gate would provide vehicular access.

6. The appellant has given careful consideration to the removal of the existing hedge without disturbing existing mature trees. It is also the intention to introduce further planting in the form of trees and shrubs behind the wall and fencing to visually enhance the appearance of the boundary.

7. Nevertheless, owing to its height, length and prominence, the proposed boundary treatment would result in a large, visually obtrusive and discordant

feature in the street scene, at odds with the prevailing character of the area. The use of sections of timber fencing between brick pillars to create visual interest, and the stepped back pedestrian and vehicular entrances, would do little to temper its harmful effects and therefore would not overcome the harm I have identified.

8. I appreciate the appellant's desire to make the property more secure and to provide greater privacy to the front garden area. However, I am not persuaded that the proposed boundary treatment would be the only way to achieve these aims, particularly as lower and more sympathetic boundary treatments appear to be securing the boundaries of neighbouring properties in the area without issue.

9. Consequently, the development would harm the character and appearance of the surrounding area and is therefore contrary to Policy 10 of the Leeds Local Plan Core Strategy (adopted September 2019), Saved Policies GP5 and N25 of the Leeds Unitary Development Plan (Review 2006) and the associated policies of the National Planning Policy Framework. Together, amongst other things, these policies require new development to deliver high quality design with boundaries designed in a positive manner, appropriate to the character of the area. In addition, the proposal would fail to meet the design expectations set out in Policy HDG1 of the Leeds City Council Householder Design Guide Supplementary Planning Document (adopted April 2012) which seeks to avoid harm to the character and appearance of the locality.

Conclusion

10. The proposed development would be contrary to the development plan and there are no material considerations that indicate the decision should be made other than in accordance with the development plan.

11. Therefore, for the reasons given, the appeal should fail.

J M Tweddle

INSPECTOR