



Appeal Decision

Site visit made on 18 January 2022

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2022

Appeal Ref: APP/P4225/D/21/3287517

26 Linnet Hill, Rochdale OL11 4DA

- 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 Claire Smith against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 21/00951/HOUS, dated 25 June 2021, was refused by notice dated 31 August 2021.
 - The development is the erection of fencing and electric gates to front boundary.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, I taken the name of the appellant from the appeal form as it is more precise. I have also substituted 'elevation' with 'boundary' in the description of development, as this is more accurate.
3. At the time of my site visit, I saw that the fencing was complete. I also had the benefit of seeing the appeal scheme (the scheme) in place. I have dealt with the appeal on this basis.

Main Issue

4. The main issue of this appeal is the effect of the scheme on the character and appearance of the appeal site and surrounding area.

Reasons

5. Linnet Hill is a residential cul-de-sac, where most of the front boundaries to the dwellings are marked by relatively low brick walls with planting behind them. These are generally incidental in scale and form to their host dwellings, and this gives the street a pleasant, soft-landscaped and open character.
6. The host dwelling is located on a prominent position on the road and the scheme runs for a considerable length and at a significant height along the front boundary of the host dwelling. Notwithstanding the consistent appearance of the fencing and gates, the ground level generally falls away towards 28 Linnet Hill, and this means that the scheme is even more prominent within the street scene due to this increase in height.
7. In the context of this immediate setting, the height, length and prominence of the fencing and gates mean that the scheme forms a large, obtrusive and incongruous feature in the street scene which is at odds with the prevailing

character. Whilst the scheme displays a similar colour palette and external finishes to those present on the host dwelling, this does not offset the wider visual harm otherwise arising in terms of its scale and prominence.

8. In her representations the appellant has also made reference to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure through existing permitted development rights as a fall-back position. No additional details have been provided regarding this alternative scheme and it has not been confirmed that this fall-back scheme would be implemented should this appeal fail. In any event, even if the fallback position was to be implemented, I consider that the scheme before me results in a more strident addition to the street scene, primarily through its proximity to the footpath. Accordingly, I give little weight to the potential fall-back scheme as it is not directly comparable.
9. For all of these reasons, I therefore conclude that the development unacceptably harms the character and appearance of the appeal site and surrounding area. This is contrary to the design, character and appearance aims of Policies DM1, P3 of the Rochdale Adopted Core Strategy 2016 and the requirements of the National Planning Policy Framework.

Other Matters

10. I accept the absence of other harm arising from the scheme, including the living conditions of neighbouring occupiers, but these are neutral factors in the determination of this appeal. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.
11. I have also had regard to various other matters raised by the appellant, including the need to provide a safe and secure home for her young family, but on the evidence before me, I find this factor does not outweigh the wider harm to local character and appearance as identified.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR