



Appeal Decision

Site visit made on 17 October 2023

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2023

Appeal Ref: APP/N4720/W/23/3324029

336A Meanwood Road, Meanwood, Leeds, LS7 2JF

- 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 Alan Moss against the decision of Leeds City Council.
 - The application Ref 23/01929/FU, dated 24 March 2023, was refused by notice dated 17 May 2023.
 - The development proposed is described as 'Replace existing fence with new 3m tall fence'.
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Decision

1. The appeal is allowed and planning permission is granted to replace an existing fence with a new 3m tall fence at 336A Meanwood Road, Leeds, LS7 2JF in accordance with the terms of the application, Ref 23/01929/FU, dated 24 March 2023.

Preliminary Matters

2. The description of development in the banner heading and decision above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly I have used the description of development from the application form.
3. The development has already been carried out. I have therefore considered the appeal on a retrospective basis. The Council has also confirmed that reference in the officer report to a 2.5m fence was an error.

Main Issues

4. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

5. The appeal site comprises a business unit and its grounds situated on the easterly side of Meanwood Road. Meanwood Road is a main route leading to Leeds city centre. Its character is extremely varied, and it is punctuated with traditional buildings. Boundary treatments vary, so that no one type, or height predominates.
6. The development consists of palisade type fencing, coloured green. The fence is positioned along the front boundary of the site with the pavement and faces Meanwood Road. There is also a similar fence which runs along the returning

side boundary of the site down a private access road between it and terraced dwellings. These properties have short front garden areas set behind low brick walls, hedging and timber fencing. At the side of the access road, adjacent to the terraces, are tall advertising signs. These reach the upper windows of the properties in height, and they obscure part of the front of the terraces.

7. The proposal would be seen in the context of these higher commercial signs. The fence is set back behind the line of the terrace boundary walls, and the appeal development is separated from the properties by the existing access road. The space afforded creates a gap whereby the relationship with the traditional terraced properties and low boundaries here would not appear incongruous.
8. On the opposing side of the appeal site the boundary comprises a traditional tall stone boundary wall. Although the fence would be taller, due to its open nature and being set back behind this wall it does not dominate this traditional substantial and expansive feature. Furthermore several commercial buildings on approach to the city centre have tall metal fencing, including the nursery opposite. Although this is more open, it is also constructed from metal and taller than lower boundaries.
9. The fence is also set back further than both the terraced property walls and stone boundary wall. It therefore does not impose on the space in front of these in views along the pavement, which is also relatively wide here due to the presence of a pedestrian crossing and traffic lights. The height of the proposed fence together with the materials to be used in its construction are different in height to the lower walls of the residential properties and adjacent wall. The fencing also relates well to the host building behind it. The materials are not out of keeping with the proposed appearance of that building. As a result, it does not stand out as noticeably different and incongruous in its setting.
10. I conclude that in this instance the development does not have an unacceptable effect on the character and appearance of the area. It therefore complies with Policies P10 and P12 of the Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019), and with 'Saved' Policies GP5 and N25 of the Leeds Unitary Development Plan (Review 2006) which provide for good and high quality design; the protection of Leeds' townscapes and landscapes; resolving design as a detailed planning consideration; and, that boundaries should be designed in a positive manner appropriate to the character of the area. It also accords with the National Planning Policy Framework where it concerns achieving well designed places.

Conclusion

11. For the reasons set out above and having regard to all matters that have been raised, the appeal should be allowed.

K Williams

INSPECTOR