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## Appeal Decision

Site visit made on 9 January 2024

**by J D Westbrook BSc(Hons) MSc MRTPI**

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

**Decision date: 26 January 2024**

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**Appeal Ref: APP/P4415/D/23/3324492**

**18 Euston Way, Dinnington, Sheffield, S25 3RS**

- 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 Jayne Bassett against the decision of Rotherham Metropolitan Borough Council.
  - The application Ref RB2023/0013, dated 2 January 2023, was refused by notice dated 24 May 2023.
  - The development proposed is the erection of a 1.8 metre fence with two gateposts on the highway boundary.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed fence and gateposts on the character and appearance of the area around Euston Way.

### Reasons

3. No 18 is a detached, brick built house, situated on the eastern side of Euston Way just north of its junction with St Pancras Close. At this point Euston Way bends a little, such that the appeal property is turned 90 degrees from the road, with its front elevation facing north and western side elevation facing Euston Way. It is set well back from the highway with a large side garden and its rear garden backing onto the side of No 16. The property includes a small outbuilding to the side of the house and a larger outbuilding between the rear garden and the side boundary with the highway.
4. The fence is already in place, enclosing the side garden of the dwelling. It consists of a number of panels of vertical timber boarding with curved tops between concrete posts. It is around 1.8 metres high and there are two brick gate-posts at the southern end. The fence follows the side boundary with the road and returns at the southern end along the boundary with No 16, and at the northern end to meet the north-western corner of the house. The area to the front of the house remains open and appears to be shared with No 20.
5. Policy CS28 of the Council's Core Strategy (CS) indicates that development proposals should be responsive to their context and be visually attractive. Policy SP55 of the Council's Sites and Policies Document (SP) indicates that all forms of development are required to be of high quality, and positively contribute to the local character and distinctiveness of an area. Regard should

- be had to the setting of the site and grain of surrounding development; the use of appropriate materials; and that proposals reinforce and complement local distinctiveness and create a positive sense of place.
6. The Council's Householder Design Guide Supplementary Planning Document (SPD) includes guidance on boundary walls and fences, and indicates that careful consideration of the location and choice of materials should be used, as the wall or fence can be a prominent feature in the street scene.
  7. The Council contends that the proposed timber fencing, gates, and brick gate posts, by virtue of their height, length, siting and appearance, in a prominent position, would introduce an incongruous feature which would be clearly visible within the street scene and would be detrimental to the appearance of the host property, street-scene and character of the area in general.
  8. The appellant contends that a number of other houses on the estate have fences along the highway boundary and that the fence provides security. Furthermore, she considers the fence to be high quality and visually pleasing, and that she would be prepared to use wrought iron gates instead of the proposed timber ones.
  9. Euston Way is characterised largely by a mix of brick-built and stone-built two-storey houses in a generally open plan environment. The properties have open front gardens, many with 1m high iron railing boundary treatments on the front boundary. The boundary fence at No 18 appears out of context, being incongruous and significantly out of character with its surroundings in terms of scale, position and materials.
  10. The appellant has provided examples of timber fencing at properties within the wider estate. However, I note that very few are sited immediately at the rear of the pavement, and those which are, for example along Kensington Close and Waterloo Court, have been designed to blend in with the host property, using stone pillars to match the materials used for the house. In addition, they have the function of enclosing the private rear garden of properties which are sited close to the road. With regard to the example referred to at the side of nearby No 24 Euston Way, the fence separates two neighbouring properties and is at 90 degrees to the road. Furthermore, it does not extend forwards as far as the rear of the pavement, and does not follow the road boundary.
  11. The appellant also contends that the fence is needed for security. However, the private rear garden could be made secure in other ways, and a significant degree of privacy is provided by the positioning of the outbuildings at the side.
  12. In the light of the above, I do not consider that the examples provided by the appellant can be seen as precedents for the fence at the appeal property, which is visually prominent in its location, and out of character in its scale, siting and the materials used. It is harmful to the character and appearance of the area around Euston Way, and conflicts with Policies CS28 of the CS and SP55 of the SP, along with guidance in the SPG. Accordingly, I dismiss the appeal.

*J D Westbrook*

INSPECTOR