



Appeal Decision

Site visit made on 22 July 2024

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2024

Appeal Ref: APP/N4720/D/24/3344417

409 Whitehall Road, Leeds, LS12 6LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ryan Maan against the decision of Leeds City Council.
 - The application Ref is 24/00925/FU.
 - The development proposed is a boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The boundary treatment has already been erected at the appeal property and I have determined the appeal on this basis.

Main Issue

3. The main issue in the appeal is the effect of the boundary treatment on the character and appearance of the area.

Reasons

4. The appeal property is a semi-detached house situated on a corner plot. The surrounding area is predominantly residential in nature and comprises similar types of dwellings. The boundary treatment has been erected along the entire length of the site boundary immediately abutting the pavement and comprises a black composite, close boarded fence that is around 1.8m in height.
5. The houses on this side of Whitehall Road are set back from the main road by a wide grass verge that contains trees and shrubs and are served by a service road. The wide pavement adjacent to the houses also contains a grass verge. Although within the vicinity fences, hedges and railings are evident, the predominant form of boundary treatment is low walls, and whatever form they take, the majority of boundary treatments are around 1 – 1.2m in height. These characteristics give the locality an open and spacious character.
6. The height, length, design and prominence of the fence at the appeal property make it an overly dominant feature in the street scene that fails to respect and, is not in keeping with, the more open character and appearance of boundary treatments in the area. It therefore appears as an incongruous and discordant feature that does not integrate appropriately with its surroundings.
7. The house on the adjacent corner also has a fence that immediately abuts the pavement. However, whilst to the rear of the site it was around 1.8m in height,

this reduced around the front part of the site to a height characteristic of the area. In addition, the design of the fence was more open, so it has a less oppressive character.

8. In support of the appeal photographs were supplied by the appellant of various fencing and gates he states are a similar height to those at the appeal site. However, even if they are the same height, none of these were the same as the appeal scheme in terms of the scale, length and design of the boundary treatment. Moreover, none of them appeared to be in the same locality as the appeal site, and so they were not necessarily in areas that have similar characteristics to those found around the appeal property.
9. As a result, I consider the development unacceptably harms the character and appearance of the area. It would therefore conflict with Policy P10 of the *Leeds Core Strategy (as amended by the Core Strategy Selective Review) (adopted September 2019)* and Policies N25, GP5 and BD6 of the *Leeds Unitary Development Plan (Review 2006) (adopted July 2006)* which seek to ensure that developments in general, and boundary treatments in particular, respect the character and appearance of the area, resolve detailed design considerations, and respect the scale, form, detailing and materials of the original building.
10. For the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR