



Appeal Decision

Site visit made on 15 October 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2024

Appeal Ref: APP/M9496/D/24/3348846

4 Greenhead Park, Bamford, Hope Valley S33 0AS

- 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 Brown against the decision of Peak District National Park Authority.
 - The application Ref NP/HPK/0524/0523, dated 16 May 2024, was refused by notice dated 12 July 2024.
 - The development proposed is new dark-brown stained timber panel perimeter fence to dwelling boundaries with concrete posts.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached property, on a corner plot, in a predominately residential area. The dwelling has highway to the front, rear and to the side of the property.
4. The proposal introduces tall, hard boundary treatment and a solid form of enclosure that is out of character with the locality, which consists of mostly vegetation boundaries and low walls. Due to its height and materials, it is overly dominant and prominent, and represents an incongruous form of development within the locality.
5. I note there is some mitigation from boundary vegetation to the front and rear that seeks to soften the harshness of the fence, but this vegetation is largely seasonal. The side boundary being exposed means that it remains quite visible overall in the street scene where its appearance is quite strident and contrasts with the character of the estate. I agree with the Council that, owing to the contrast, it represents an incongruous feature in the street scene.
6. I note the frustrations of the appellant in relation to other similar boundary treatments in the locality and also comment from a nearby resident stating that the works have tidied up the boundaries. Nonetheless the existence of other treatments and positive comments from a nearby resident does not justify further harm to the character and appearance of the area by the retention of the appeal proposal.

7. I also note the comments of the appellant with regard to what is or is not permitted development. This appeal is not the arena to deal with the issue of what may or may not be permitted development. The appeal seeks approval for the whole fence, and I must deal with the proposal as submitted and refused planning permission accordingly.
8. I conclude that the development causes significant harm to the character and appearance of the area and would be in conflict with policies GSP1 and GSP3 of the Peak District National Park Local Development Framework (2011) and policy DMC3 of the Development Management Policies Part 2 Local Plan (2019), which when taken as whole, amongst other matters, expect development to respect, conserve and enhance all valued characteristics of the site and buildings.

Conclusion

9. The proposal conflicts with the development plan and there are no other considerations that outweigh this conflict. For the reasons outlined above, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR