



Appeal Decision

Site visit made on 2 April 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 April 2025

Appeal Ref: APP/Z2315/D/25/3360802

48 Ingham Street, Padiham, Burnley, Lancashire, BB12 8DR

- 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 David Ashcroft against the decision of Burnley Borough Council.
 - The application Ref is FUL/2024/0526.
 - The development proposed is erection of a 1.83m timber fence.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development is taken from the Council's decision notice. The description of development provided on the appeal form also includes background information relating to the appeal site and the proposal.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is a two storey, stone-built, end of terrace dwelling. It is located in a prominent position at the corner of Ingham Road and Partridge Hill. The dwelling fronts the pavement and has a yard area to the rear.
5. The appeal property is located in a largely residential area characterised by the presence of rows of terraces of two-storey stone-built dwellings. Dwellings front the pavement and have yards to the rear.
6. Terraces in the area are laid out on a grid pattern on the side of a steep hill. This provides for a sense of formality which combines with the similar appearance of the stone-built terraced dwellings to afford the area with a pleasant sense of uniformity. Gaps at the end of terraced rows, where streets cross, provide for a sense of spaciousness, further enhanced by the topography of the area, which provides for airy views. Ingham Street itself slopes considerably, from north west to south east.
7. Partridge Hill runs along the side of the appeal dwelling. Along the appeal dwelling side of this street, there are notable gaps between gable ends and the pavement,

including grass verges, an area with a low wall and fence and immediately adjacent to the appeal dwelling, a small partly-planted area of open space.

8. I find that these small areas comprise important gaps that make a significant contribution to the spaciousness of the area.
9. The proposed development would comprise a tall fence. It would fully enclose the gap adjacent to the appeal dwelling and it would reach a height considerably taller than the low wall and fence across the ginnel from the appeal dwelling. Further the proposed materials would appear unlike any other boundary feature in the area situated in such a prominent location.
10. Taking the above into account, I find that the proposal would draw attention to itself as an incongruous feature. The harm arising from this would be exacerbated as a result of the prominent location of the gap, towards the top of a long slope and within an area notable for its spacious qualities.
11. Further, the proposed development would, due to its height and prominence, reduce the spacious qualities of this part of Ingham Street/Partridge Hill.
12. Taking all of the above into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework; and to Policies NE3 and SP5 of the Burnley Local Plan (2018), which together amongst other things, seek to protect local character.

Other Matters

13. In support of the proposal, the appellant states that the proposal would enable him to address fly-tipping and the dropping of litter; as well as provide for a safe storage area. These are factors in favour of the proposal but they do not outweigh the harm identified.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR