



Appeal Decision

Site visit made on 24 June 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/N4720/D/25/3363883

18 Selby Road, Garforth, Leeds LS25 1LS

- 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 Mrs M Trifone-Torella against the decision of Leeds City Council.
 - The application reference is 24/07288/FU.
 - The development proposed is an 1800mm timber fence and sliding gate.
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Decision

1. The appeal is allowed and planning permission is granted for an 1800mm timber fence and sliding gate at 18 Selby Road, Garforth, Leeds in accordance with the terms of the application, reference 24/07288/FU, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted relates to the following approved plans: J24052/A101 and J24052/A102.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The fence is already in place. It is described as having replaced a lower fence with hedging behind. The former hedging has also been removed.
4. The council suggest that the area is defined by the use of low level and natural boundary treatments which help define its spatial character as open and verdant. Selby Road is a busy road and in the vicinity of this property, it appears that many of the boundaries have been built-up, presumably to off-set the impact of the road. I found there to be many examples of high fences, walls with railings and some remaining hedges above high fences. There also remains a number of other properties with lower boundaries, garden vegetation and hedging. The area is mixed in this respect and its character is, to a large extent, dominated by the scale of the road, parked cars, bus stops and roadside infrastructure. The hedging that remains does however make a positive contribution to this environment.
5. The loss of this small section of hedge is regrettable but the new fence is not overly high or dominant, particularly as it is set slightly down from the pavement. It reflects the height of the neighbouring brick and railing front boundary. Its form and materials ensure that it is less prominent than a number of other boundaries in the

vicinity. Its simple form and materials distinguish it from the structure at number 14 which I understand is now immune from enforcement action.

6. The fence also provides screening for the vehicle parked beyond it and it is likely to assist with regard to noise within the property from the road. Whilst a high hedge behind or in front of it would be of benefit, I am not satisfied that this could be required as part of this decision and a condition to require this has not been suggested by the council. A one metre high fence, that could be erected without formal consent should this appeal fail, would not offer significant visual benefits over the current situation and would reduce the benefits with regard to noise, privacy and security.
7. In these particular circumstances, although the loss of hedging has reduced the quality of the area, the replacement fence is not out of keeping and when compared to the likely potential lawful alternative, does not significantly detract from the character or appearance of the area. It does not fully satisfy the design objectives of policy P10(i) of the Core Strategy (as amended by the Core Strategy Selective Review 2019); policies N25, GP5 or BD6 of the Unitary Development Plan Review (2006); or policy HDG1 of the Householder Design Guide (2012). However, it does offer benefits with regard to reducing noise from this busy road, in addition to benefits with regard to privacy and security. In these particular circumstances and given its simple relatively unobtrusive design and materials, I find that these benefits are sufficient to outweigh the design shortcomings. I therefore allow the appeal.
8. I have imposed a condition relating to the details of the approved plans for the avoidance of doubt and in the interests of proper planning. As the proposal is retrospective, no further conditions are necessary.

Peter Eggleton

INSPECTOR