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## Appeal Decision

Site visit made on 25 June 2025

**by Sarah Colebourne MA, MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 08 July 2025**

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**Appeal Ref: APP/W2465/D/25/3366701**

**273 Green Lane Road, Leicester, LE5 4NF**

- 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 Mohmed Yunus Ibrahim Desai against the decision of Leicester City Council.
  - The application Ref is 20250124.
  - The development proposed is described as '*Replacement of existing external boundary treatment with open mesh security fence and associated gates*'.
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### Decision

1. The appeal is dismissed.

### Main Issue

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

### Reasons

3. The appeal site comprises a traditional, semi-detached house in a prominent corner position at a very busy intersection. On the opposite side of Green Lane Road there is a hot food takeaway, an off licence and a number of other commercial premises, together with further commercial premises on the other opposite side of the junction at Coleman Road. However, on this side of the junction and in the immediate context of the appeal site, the character of the area is primarily residential.
4. The main frontage of the dwelling faces onto Green Lane Road with pedestrian access from there via a high gate. Vehicular access is from Coleman Road, a classified road, to the side of the property and is currently open and not gated. There is an existing tall hedge planted behind a low picket style fence along part of the front boundary on Green Lane Road which turns the corner into Coleman Road as far as the access. This provides some welcome greenery and softness at this otherwise very urbanised junction. The remainder of the boundary on Green Lane Road is formed by a high fence of vertical close boarding with horizontal slatted fencing above which is not a positive feature in the street scene. The nearest dwellings on Coleman Road have mainly low walls or fencing, many with planting behind which allow views of their front gardens and contribute to the more attractive suburban character of that road. On Green Lane Road, the nearest dwellings have front boundary walls that reflect the brickwork of the dwellings.

5. The proposed boundary treatment, as amended during the application process, would remove the existing hedge and fencing, replacing them with 2.1m high vertical railings with a sliding vehicular gate and pedestrian gate to match, extending along the whole of the front boundary on both frontages. The plans show some low level planting behind the railings on the Coleman Road frontage.
6. This type of boundary treatment, by reason of its height and design (including its materials), is uncompromisingly commercial in character and appearance and not normally appropriate to this extent in a domestic setting. Its siting here would be at odds with both the brick wall frontages of Green Lane Road and with the lower boundaries and planted frontages of Coleman Road. As such it would detract strongly from the character and appearance of the area and the street scene.
7. I have noted that on the opposite side of the junction at 117 Coleman Road, a large restaurant premises with flats above, there is a lengthy boundary treatment of 2.2m high railings around a prominent corner site. The Council seems uncertain of the planning status of that boundary but in any case it surrounds a property that is commercial at ground floor level and surrounded by other commercial properties and therefore has a very different context from the appeal site. I have not been told of the planning status of the other example of railings referred to by the appellant, at 2 New Romney Crescent, Leicester, and therefore am unable to conclude that it is directly comparable either. Those examples do not then provide sufficient justification for this proposal.
8. I have had careful regard to the security needs of the appellant, his family and his business which he says provide the justification for the proposal, following several incidents of vandalism and burglary at the property and anti-social behaviour in front of the property. Whilst his appeal statement maintains that these incidents ceased after the erection of the existing fencing, I have since been told that a further security incident has occurred recently. It is clear that some form of additional boundary treatment at the property is necessary and although it is the appellant's opinion that a wall would not be appropriate, I am not persuaded that a wall and/or other forms of boundary treatment that might include soft planting, together with other security measures, would not provide a more effective and acceptable solution. The appellant's security requirements are not sufficiently compelling to outweigh the harm that would be caused by this proposal.
9. I conclude then that, by reason of its siting, height and design, the proposed boundary treatment would significantly harm the character and appearance of the street scene and the area. As such, it would be contrary to development plan policy CS03 in the Council's Core Strategy (2014) which seeks to ensure that new development contributes positively to its surroundings as well as reducing crime and the fear of crime. The National Planning Policy Framework has similar objectives.

## **Conclusion**

10. For the reasons given above, I conclude that the proposal would be contrary to the development plan and there are no material considerations that would outweigh that. The appeal should be dismissed.

*Sarah Colebourne*

INSPECTOR