



Appeal Decision

Site visit made on 15 August 2025

by **Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025

Appeal Ref: APP/T2405/D/25/3368115

2 The Leys, Countesthorpe, Leicestershire LE8 5PJ

- 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 J Duffin against the decision of Blaby District Council.
 - The application Ref. is 25/0068/HH.
 - The development proposed is acoustic fencing to the Willoughby Road boundary.
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Decision

1. The appeal is allowed, and planning permission is granted for acoustic fencing to the Willoughby Road boundary at 2 The Leys, Countesthorpe, Leicestershire in accordance with the terms of the application, Ref. 25/0068/HH and the plans submitted with it, subject to the condition that the development hereby permitted shall be 'carried out' in accordance with the following approved plans: Drawing No. 3274/5 Nov 24 Revision B.

Main Issue

2. The main issue is the effect of the fence on the character and appearance of the Willoughby Road streetscene.

Reasons

3. The application is for retrospective permission as the fence has already been erected. The Officer's Report explains the background to the application including the planning history and I have taken this into account.
4. It may well have been that when first erected the fence appeared stark and out of keeping with its surroundings. However, the fence has been stained dark brown and is of an appropriate height. And as befits the treatment of a residential roadside boundary in the public realm, the appearance of the fence is 'softened' by being set against a higher hedge.
5. Although having acoustic properties this is not readily apparent in the appearance of the fence and the boundary does not in any way draw the eye as being other than an entirely normal fence and hedge that might be reasonably expected as part of a variety of boundary treatments in a residential suburb.
6. The Officer's report refers to the 100m length of fence to a disused railway embankment and wooded area on the opposite side of the road and argues that because this is not to a residential curtilage it is not a comparable development.

However, I disagree with this view as this fence is in fact part of the street scene and is therefore relevant to my consideration of the appeal.

7. Be that as it may, the fence to No. 2 The Leys in conjunction with the hedge is wholly acceptable on its own merits as regard its effect on the character and appearance of the area and I therefore see no harmful conflict with Policy CS2 of the Blaby District Local Plan (Core Strategy) DPD 2013; criterion b) of Development Management Policy 1 of the Blaby District Local Plan (Delivery) DPD 2019, or with Section 12: 'Achieving Well-Designed Places' of Government policy in the National Planning Policy Framework, revised December 2024.
8. I shall therefore allow the appeal. A condition requiring the development to be 'carried out' in accordance with the approved plan is needed for the avoidance of doubt and is in the interests of proper planning. As the hedge is an important aspect of the overall boundary treatment, I consider that its retention as a landscape feature is necessary for as long as the fence remains in place.

Martin Andrews

INSPECTOR