



Appeal Decision

Site visit made on 21 May 2026

by **D Hartley BA (Hons) MTP MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd May 2026

Appeal Ref: APP/N4720/C/25/3376448

2 Arran Court, Garforth, Leeds, LS25 2BZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mrs Christina Cockill against an enforcement notice issued by Leeds City Council.
 - The notice was issued on 12 November 2025.
 - The breach of planning control as alleged in the notice is without planning permission the erection of unauthorised boundary treatment consisting of a solid fence exceeding 1 metre adjacent to vehicular highways of Arran Court and Long Meadows.
 - The requirements of the notice are to 1. dismantle and remove all the unauthorised boundary fence fronting vehicular highways of Arran Court and Long Meadows, or 2. reduce the unauthorised boundary fence fronting the vehicular highways of Arran Court and Long Meadows to no higher than one metre above ground level.
 - The period for compliance with the requirements is three months beginning with the day on which the notice takes effect.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matter

2. A draft National Planning Policy Framework 'Plan-making and national decision-making policies' was issued by the Government for consultation on 16 December 2025 (Consultation Draft Framework). I afford the Consultation Draft Framework limited weight as a material planning consideration. This is relative to the published National Planning Policy Framework 2024 (the Framework) to which I afford full weight as a material planning consideration.

Main Issue

3. The appeal made on ground (a) of section 174(2) of the Act is that planning permission ought to be granted in respect of the breach of planning control alleged in the notice. I have considered the reasons for issuing the notice and the main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is positioned within a spacious corner plot. The appeal fence has been erected on two prominent boundaries, one facing Arran Court and one

facing Long Meadows. While there is some variety in terms of the scale and design of properties within the housing estate, it is the case that similarly designed properties tend to be grouped together. Moreover, there is a general consistency in terms of the use of building materials. In addition, the dwellinghouses are generally set within large plots with front amenity spaces which either have dwarf walls or hedges.

5. Overall, there is a generally green and undeveloped character to most of the amenity spaces which face main roads. While it is acknowledged that there are some fences in the area, they are not experienced by passers-by as being the prevailing form of boundary treatment. The use of hedges and/or relatively open and undeveloped outside amenity spaces add positively and distinctively to the character and appearance of the area as a whole.
6. I have been provided with photographs of the appeal site prior to the unauthorised fencing being erected. The land included hedging around large parts of the front and side boundaries of the appeal site and facing Arran Court and Long Meadows. The hedging provided a soft and undeveloped boundary edge to the plot and suitably reflected the prevailing character and appearance of the area as a whole. In contrast, and, owing to the extent, height and solid appearance of the appeal fencing, I find that it appears has an unacceptably dominating, stark and intrusive form of development departing from the otherwise more undeveloped and landscaped setting to most of the public facing outside amenity spaces associated with the dwellinghouses in the locality.
7. For the above reasons, I conclude that significant harm has been caused to the character and appearance of the area. Consequently, the unauthorised development does not accord with the design, character and appearance requirements of policy P10 of the Leeds Core Strategy (as amended 2019); policies GP5 and N25 of the Leeds Unitary Development Plan (Review 2006); the Council's Household Design Guide Supplementary Planning Document 2012 which states that *'proposals which seek to erect large fences, walls and solid gates to the fronts of properties and adjacent to public areas will not normally be acceptable'*; and chapter 12 of the Framework.
8. I acknowledge the appellant's reasons for erecting the fencing, including the desire for increased security and privacy. However, it is necessary to strike a balance between the private requirements of the appellant and the effect of the unauthorised development on the character and appearance of the area in the public interest. Moreover, it may be possible to achieve a degree of security and privacy by exploring, for example, more sensitive boundary treatment options such as the provision of a well-maintained evergreen hedge or other planting (at an appropriate height/position if vehicular sightlines are a factor) and/or the use of CCTV.
9. I acknowledge that there are some examples of fencing in other parts of the estate as identified by the appellant. However, these are the exception rather than the norm and, moreover, they do not contribute positively to the prevailing and distinctive character of the area, including the relatively undeveloped landscaped amenity spaces alongside main roads.
10. The above other considerations do not alter or outweigh my conclusion on the main issue. I conclude that the development does not accord with the development

plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the ground (a) appeal fails.

Overall Conclusion

11. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

D Hartley

INSPECTOR