



Appeal Decision

Site visit made on 22 June 2018

by **Gary Deane BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 July 2018

Appeal Ref: APP/Z4718/D/18/3197236

2 Ravens Crescent, Scout Hill, Dewsbury WF13 3QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Laquit Hussain against the decision of Kirklees Metropolitan Council.
 - The application Ref 2017/62/93734/E was refused by notice dated 19 December 2017.
 - The development proposed is the erection of a fence.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application forms lodged with the Council provide few details of the applicant, the address of the property or the development sought. In those circumstances, the information given in the above heading has been taken from the planning appeal forms, which were completed by the appellant, and the decision notice.
3. The proposed fence is complete. It appears to have been erected in accordance with the plans.

Main issue

4. The main issue is the effect of the fence on the character and appearance of the local area.

Reasons

5. The appeal property is a detached dwelling that occupies a prominent corner plot at the junction of Ravens Crescent and Huddersfield Road within a mainly residential area. From what I saw, the boundary treatment of properties in the immediate area to which No 2 belongs varies in type and quality and these primarily include walls, fences, hedges and other planting.
6. The fence in question is of timber construction. It stands above a low-level brick wall along much of the site's frontage to Ravens Crescent and above a traditional stonewall as the appeal property addresses the junction with Huddersfield Road. The considerable length of the appeal fence coupled with its elevated position close to the back edge of the adjacent footway means that the structure is a significant and prominent feature in views from Ravens Crescent, in both directions, and from Huddersfield Road.

7. From these highways, the appeal fence draws the eye as a rather stark, solid, formal barrier. It has a harsh appearance. Furthermore, the length, height and position of the appeal fence causes it to have an unduly imposing presence in the local street scene. It markedly contrasts with the generally lower level and more low-key boundary treatments to properties in the immediate vicinity of the site. For these reasons, the appeal fence appears out of place and, as a result, it is obtrusive. Consequently, the appeal fence has a deleterious effect on the character and appearance of the local area.
8. There are several examples of boundary fences and walls that mark the highway frontages of properties further along Ravens Crescent and other nearby streets and I have carefully noted the cases to which the appellant has referred and provided photographs. With a small number of exceptions, long, tall fences on prominent corner plots were not a strong or prevailing feature of the local area. The exceptions that I saw were largely unattractive, prominent and out of keeping with the appearance of the street scene to which they belong. These cases exemplify the harm to which I have referred and should not be replicated. Consequently, these examples do not set a precedent for the appeal fence nor lend significant weight in support of the appellant's case.
9. On the main issue, I conclude that the appeal fence significantly harms the character and appearance of the local area. Accordingly, it is contrary to Policies D2 and BE1 of the Kirklees Unitary Development Plan and Policy PLP 24 of the Kirklees Publication Draft Local Plan. These policies aim to ensure that development achieves a high standard of design that contributes to a built environment that is visually attractive. It is also at odds with the National Planning Policy Framework, which states that development should respond to local character and add to the overall qualities of an area.
10. I have no doubt that the appeal fence has improved the security and privacy for the appellant's family and created a safer outdoor play space for use by children than would otherwise be the case with just the boundary wall. It has also acts as an acoustic screen and thus reduces the noise from vehicles passing by and parking on the adjacent roads. These are important matters given the personal circumstances of the appellant's family and in dealing with problems such as litter, which is clearly evident from the photographs. These are all important matters that lend support to the appellant's case and need to be weighed in the planning balance. However, these matters do not outweigh the harm that I have identified.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR