



Supporting Planning Statement

**PROPOSED 1800mm Close Boarded Fence
to side boundary at 58 Southfield Road,
Waterloo, Huddersfield, HD5 8RJ**

Date: Aug 25

Reference: HPS9125

1.0 Introduction and background

1.1 This statement has been prepared by **Householder Planning Services** on behalf of Mrs E Skujina to support a planning application for the erection of a 1800mm close boarded fence to the side of the dwelling at 58 Southfield Road, Waterloo, Huddersfield, HD5 8RJ.

1.2 The application follows the earlier refusal for a 1800mm fence to the side and front of the dwelling that was refused on the 27 March 2024 (Ref: 2024/90078) for the following reason:-

The fence, as constructed with a height of 1.8m, forms a stark, solid, formal barrier with an appearance which is visually incongruous with its surroundings, and which has an unduly imposing and oppressive presence on Southfield Road and Fleminghouse Lane. The fence, which is both prominent and at odds with the street scene, has a deleterious and intrusive effect on the character and appearance of the local area. The development is harmful to visual amenity and contrary to Policy LP24 of the Kirklees Local Plan, Key Design Principle 1 of the Council's adopted House Extensions and Alterations SPD and policies within chapter 12 of the National Planning Policy Framework.

1.3 The applicant did not appeal this decision. The Council then served an Enforcement notice, and we were instructed by the applicant to appeal it. The notice required the appellant to;

a) Permanently dismantle and remove the fence (adjacent to Southfield Road and Fleminghouse Lane), from the site OR

b) Reduce the height of the fence along Fleminghouse Lane and Southfield Road to no more than 1metre in height, measured from the adjacent highway (See Diagram 1 - Blue Line); and reduce the height of

the fence, running perpendicular to Southfield Road, to no more than 1 metre in height, measured from natural ground level, for the first 2 metres from where it meets the public pathway(see Diagram 2 – Green Line). The diagrams referred to are in the enforcement notice.

- 1.4 The appeal was made on ground (a), that planning permission should be granted for the development. However, where an enforcement notice is issued on or after 25 April 2024, no appeal on ground (a) may be made if the enforcement notice was issued after the making of a related retrospective planning application and within 2 years of the date on which the related application ceased to be under consideration. In this case, the related application was a planning application for retention of the fence, refused by the Council in March 2024. As there was no appeal the application ceased to be under consideration, therefore the appellant is barred from appealing on ground a). Therefore, the appeal was on ground f) only.
- 1.5 Had the appellant been able to appeal on ground a) the case advanced was to comply with the requirement to reduce the height of the fence, running perpendicular to Southfield Road, to no more than 1 metre in height, measured from natural ground level, for the first 2 metres from where it meets the public pathway. This has now been done.



- 1.6 In terms of the requirement to *Reduce the height of the fence along Fleminghouse Lane and Southfield Road to no more than 1metre in height, measured from the adjacent highway*, the fence has been reduced to 1metre fronting Southfield Road and Fleminghouse Lane ONLY where it projects in front of the house. Where it is adjacent to the side and rear garden of the dwelling, it is 1.8m high. It is this portion of fencing that is the subject of this application.



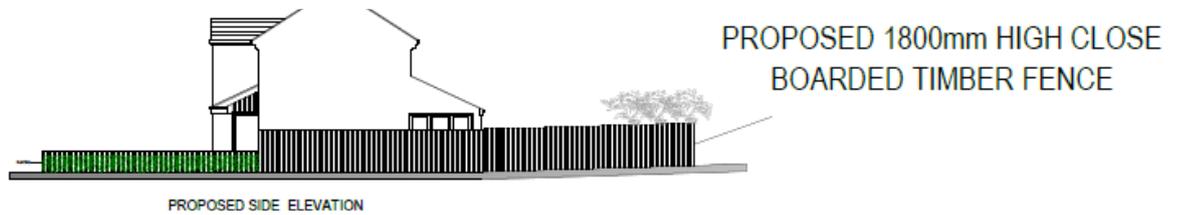


1.7 We deal with the justification for the fence later in this report and mitigation measures undertaken in respect of visual amenity.

2.0 The application

2.1 The application is for the erection of a 1.8m high boundary fence to the side of this residential property. The layout plans below show the existing and proposed.





- 2.2 The fence has been painted grey to soften the visual impact as demonstrated below.



3.0 Relevant Planning History

- 3.1 Application 2024/90078 – Erection of 1800mm High Close Boarded Boundary Fence – Refused 27 March 2024
- 3.2 Enforcement Appeal dismissed 1 July 2025 – Ref .APP/Z4718/C/24/3356495.
- 3.3 2020/93868 – Erection of single and two storey extensions. *Granted Conditional Full Permission.*

4.0 Planning Policy

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Barnsley is the Local Plan (adopted in 2019).
- 4.2 The application site is located within an area with a known presence of bats and within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

LP1 – Achieving Sustainable Development

LP2 – Place Shaping

LP21 – Highway Safety

LP22 – Parking Provision

LP24 – Design

LP30 – Biodiversity & Geodiversity

LP51 – Protection and Improvement of Local Air Quality

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:

The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations

(householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

National Planning Policy Framework (December 2024)

5.0 Comments in support of the application

- 5.1 The property forms a corner plot at the junction of Southfield Road and Fleminghouse Lane. Fleminghouse Lane rises up from Southfield Road. The properties private amenity space to the side and rear of this property abuts the boundary with the identified roads. A 1m high fence would allow clear views into private amenity space and cause security concerns as it would be too low to provide a defensible barrier.
- 5.2 An incident occurred earlier this year where there was a car chase with the police. The driver of the car bailed out on Fleminghouse Lane adjacent to the fence and needed to hide. They could not get into the application site so went into the garden of the first dwelling on Fleminghouse Lane and were found by the Police. The applicant has two young children who play in their garden. Secure boundary treatment is important. A 1m high fence does not provide the security required.
- 5.3 Crime and the fear of crime is a material planning consideration. We can, if needed, provide hundreds of examples of 2m high fences on dwellings adjacent to roads where the said boundary fencing is adjacent to rear gardens. There is a 2m high fence on the opposite side of Southfield Road at the junction with the continuation of Fleminghouse Lane.
- 5.4 Whilst the Enforcement Appeal Inspector could not consider the planning merits of the fencing and mitigation methods as ground a) was not

permissible, he did acknowledge that nearby similar boundary treatments would be a factor if the planning merits of the fencing were being considered. The same would apply to changing the external appearance of the fencing.

- 5.5 We consider the painting of the fence to grey and reduction in height to 1m on the Southfield Road frontage significantly reduces any perceived visual impact.



- 5.6 The changes to the previously refused application, including changing the fence colour and reducing the scale and overall massing of the fencing to the property make a significant difference to its appearance in the streetscene in a positive way such that we consider the proposal does not conflict with policy LP24 of the Local Plan.
- 5.7 Taking the above into account and the need to provide a secure, defensible boundary in this location, we trust the application can be supported.

6.0 Conclusion

- 6.1 For the above reasons we consider that the proposed development is acceptable and does not conflict with the LP.