

Appeal Statement

The two points given as to why planning was refused were:

1. *The proposed development would have a detrimental impact on visual amenity as it would diminish the character of the area. As such, the development would be contrary to the Walls and Fences SPD (2019) and D1 of the local Plan.*
2. *In the opinion of the Local Planning Authority, the proposed front boundary wall would be contrary to Local Plan Policy T4, due to its height impacting on visibility to drivers to the detriment of highway safety.*

In response to these points. Prior to our application, we specifically considered our desire to achieve an appropriate balance between security, privacy and visibility. This is why our solid brick wall remains below permitted development height, and we identified the 'pebble' decorative screen from Charles and Ivy (see below image) to sit on top of the wall. Rather than a solid fence panel, this design is one of Charles and Ivy's most transparent screens providing a higher degree of visibility.



The proposed materials are of a high quality and design and do not in any way detract from the character of the area, being in line with other properties. In fact, they are of a higher quality and standard of many other properties within the area and of a similar quality to others which have also used composite and aluminium materials (see images provided).

The images provided also demonstrate examples of numerous fences and driveway gates along the same stretch of road as ours, as well as other neighbouring roads. All of which breach the above two points given for our planning application having been refused. The refusal of our application highlights that we are being held to a higher level than others. We would also like to point out that none of the neighbours which were contacted by the Planning Department with respect to our planning application provided any objections to our submitted plans.

We provide the below link to Planning Explorer as an example based in Barnsley which has similarities to ours, although this particular property is close to a school and opposite a bus stop. We ask that you refer to the planning officers report, submitted drawings, decision notice and image we have provided of how the property looks now.

<https://planningexplorer.barnsley.gov.uk/Home/ApplicationDetails?planningApplicationNumber=2024%2F0645#documents>

Aside from walls and fences, we believe that the many hedges which also exceed permitted planning height across neighbouring properties and the area are worthy of note. Whilst we have read up on why Planning Departments view hedges differently to walls and fences, being that these hedges are not visible through and so often block the view of drivers and pedestrians, as well as regularly extending beyond a property boundary forcing pedestrians to walk along the pavement curb and at times onto the road itself. It is hard to understand why these situations go unmanaged by Highways.

Our experience thus far demonstrates that those who do the right thing and submit a planning application are ultimately refused, and those who simply proceed without application go unchallenged. The result in part is on the subsequent 'character' of the area with some properties being of a high quality and design and others less so. In turn, this reinforces and sets a precedence for the local character referred to within the points given as to why planning has been refused. We believe that the drawings provided within our planning application alongside the images provided to support our appeal, show that we fall within the upper end of the character of the area and in no way diminish it.

Our concern about the security of our property and vehicles is very real, being that our current wall can easily be strode over and we do not have a driveway gate. We have previously experienced drunk people late at night either sitting or lying on our wall and occasionally falling over it and ending up on our property side of the wall. Our neighbour has had a catalytic converter stolen from a vehicle twice and on a couple of occasions we have had someone from the area knock on our door to share that during the night someone had tried to steal their car, and they were making people in the area aware to be vigilant. Approval of our application will provide us with a greater level of security and protection. We also wish to provide a loving home to a dog soon, so approval will also provide a safe and contained environment within our property for them also.

In conversation with our allocated Case Officer prior to receiving the formal decision notice, we were informed that Highways would approve our application if the height was reduced to one metre, i.e. permitted planning. The initial submission of our application was listed as INVALID due to insufficient drawings being provided at that time. However, it was clear from this initial submission that our request was based upon a height increase. If Highways are known to be steadfast in not permitting any increase above permitted planning or willing to work together towards achieving a mutually agreeable compromise, we don't understand why we were asked to provide drawings. Along with the initial application fee, drawings of this nature have come at a significant cost.

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