

UNSAFE WALLS

The Council can take action under the Building Act 1984 to ensure dangerous walls or structures are made safe. For further information contact the Building Control Section on (01226) 772678.

RETAINING WALLS

A retaining wall over 1.5 metres high would normally need approval under the South Yorkshire Act 1980. Retaining walls supporting buildings and structures will normally require Building Regulation Consent. For further information you should contact the Building Control Section on (01226) 772678.

DEMOLITION

Permission is not usually required to take down a wall or fence unless:-

- i) the retention or erection of the wall or fence has been specifically required by a previous planning approval;
- ii) it lies within the curtilage of a listed building; or
- iii) it is located within a Conservation Area.

FURTHER INFORMATION

Please contact Planning Services on (01226) 772584 or 772590 in the first instance.



BARNSLEY
Metropolitan Borough Council

Planning and Transportation Service

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WALLS AND FENCES

SUPPLEMENTARY PLANNING GUIDANCE 18

May 2003

ABOUT THIS GUIDANCE

PPG 12 advises that supplementary planning guidance can be taken into account as a material consideration in deciding planning applications which can be given substantial weight. PPG 1 advises that applicants should be able to demonstrate that they have had regard to development plan policies and supplementary planning guidance.

In accordance with PPG 12 this guidance has been prepared in consultation with all those who might use it. A statement of the consultations undertaken, representations received and the Council's response to those representations is available on request. The Explanatory Note that accompanies the SPG series contains a list of all consultees.

The Council will not usually have any control over walls and fences which do not require planning permission. The only exceptions would be when the Council has a legal interest in the land or the wall or fence is considered dangerous.

WHEN IS PLANNING PERMISSION REQUIRED?

Planning permission is normally required to erect a wall or fence or other means of enclosure:-

- 1) Over 1 metre in height above ground level, adjacent to a highway used by vehicular traffic.
- 2) Over 2 metres in height above ground level elsewhere.
- 3) Within the curtilage of a listed building.

In addition where the erection of a fence or wall would cause danger by obstructing the view of persons using a highway then planning permission will usually be required and is likely to be refused.

The planting of trees, hedges and shrubs does not normally require permission.



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UNITARY DEVELOPMENT PLAN

You are advised to check with Planning Services before you start erecting a wall or fence to see if permission is required. Please contact Planning Services on (01226) 772584 or 772590.

GROUND LEVEL

This is generally taken to be the natural ground surface next to the wall or fence. If ground level is different on either side of the wall or fence the measurement is generally taken from the highest point. However, where the natural ground level has been raised, for instance to form a patio area the measurement may be made from the original ground level.

OPEN PLAN ESTATES

If you live on an open plan estate you should contact Planning Services to check whether the erection of a wall or fence to the front of your property needs permission. It would also be advisable to check your deeds for similar restrictions.

CONSIDERATIONS IN DETERMINING APPLICATIONS

Where the erection of a wall or fence does require permission the main issues are likely to be:-

- Design and appearance.
- Highway safety.
- The impact on your neighbours.

DESIGN AND APPEARANCE

The design, the materials used and the height of the wall or fence should relate to the character of the area in which you live or work.

Particular care should be taken on site frontages and in other visually prominent locations.

In urban and suburban areas the use of stone, artificial stone and brick walls, good quality timber fencing, iron railings or hedges will usually be appropriate depending on the type and colour of the materials used and the character of the area and the individual property.

The use of less appropriate materials such as blockwork, concrete panels, perforated blocks and industrial security fencing will often damage the appearance of a property and the area in which it is located.

In rural areas, dry stonewalls and hedges (for instance, hawthorn) will usually be most appropriate.

YOUR NEIGHBOURS

The erection of a new boundary fence or wall or replacement of an existing wall or fence can unfortunately sometimes give rise to concern from an adjoining neighbour and become a source of bad feeling. If you let neighbours know what you are intending to do at an early stage, such difficulties may sensibly be avoided, even if planning permission is not required.

Where planning permission is required, your neighbours will be notified of your proposals by the Council and invited to make comments. Their views will be taken into account by the Council in reaching a decision.

PRIVATE LEGAL MATTERS

The Council would not normally have any control over the obstruction of a private access unless the Council has a legal interest in the land. Similarly the Council cannot get involved in land ownership disputes between private individuals.

The extent of your land ownership may be shown in your property deeds (often retained by the Building Society). Information regarding land ownership may also be held by the Land Registry. For further information, contact: The Nottingham (East) District Land Registry, Robins Wood Road, Nottingham, NG8 3RQ (Tel. 0115 9065353).

COUNCIL HOUSES

If you live in a Council or former Council house you will usually need the permission of the Head of Housing Services to erect a wall or fence regardless of size. It is advisable therefore to check your deeds for any such restrictions. For further information contact the Council's switchboard on (01226) 770770 who will put you into contact with the relevant Housing services department.