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## Appeal Decision

Site visit made on 23 June 2020

**by Darren Hendley BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 8 July 2020**

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**Appeal Ref: APP/W4705/D/20/3251506**

**10 Como Grove, Bradford BD8 9QA**

- 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 Hamid Raza against the decision of City of Bradford Metropolitan District Council.
  - The application Ref: 20/00509/HOU, dated 6 February 2020, was refused by notice dated 3 April 2020.
  - The development is described as a "retrospective application for front wall for pillars, railings and gate."
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The appellant has referred in the appeal submission to an amended plan (ref: 20/134/HR01 - A). The Council has stated that its decision was not made on the basis of this plan. The Procedural Guide, Planning appeals - England confirms that the appeal process should not be used to evolve a scheme. This plan has also not been the subject of formal consultation with interested parties, as far as I am aware. The Council based its decision on the original plan (ref: 20/134/HR01) and hence so have I.
3. The development has already been carried out. Accordingly, I have considered the appeal on a retrospective basis.

### Main Issue

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

### Reasons

5. The development is located along the site frontage with Como Grove. It is constructed of a stone wall and pillars with decorative metal railings. There are also matching metal gates across the access into the site. This boundary enclosure rises to a maximum height of approximately 2 metres.
6. Como Grove contains a fairly regular arrangement of semi-detached properties. Ground levels gradually fall from the road junction to the north towards the end of this cul-de-sac. The predominant forms of front boundary enclosure are low

- walls. Some also incorporate hedgerows. Whilst there are examples of higher gates, pillars and railings, these are less common overall.
7. The height of the development is considerably greater than the majority of the frontage boundary treatment found in its vicinity. It gives the appeal site an enclosed appearance that does not conform to the prevailing character. The excessive height is prominent in these surroundings with the development's siting on the frontage with the road. As such, it results in a visually incongruous feature, when viewed from the wider streetscene and the local environment. Nor should the site's location in a cul-de-sac be a disincentive to achieving development that is in keeping with the local context.
  8. In relation to the other examples of front boundary treatment that my attention has been drawn to, the neighbouring property at No 8, whilst incorporating walls, pillars and gates, omits the railings. Thus, it does not have the same adverse visual effect. With regard to the metal gates at No 9, the associated wall along the frontage is of a noticeably lesser height. As a consequence, this boundary treatment as a whole appears less enclosed than is found on the appeal site.
  9. The metal gate and wall arrangement at No 19 is positioned around the head of the cul-de-sac and where there are high hedgerows. It is also found where the ground levels are at their lowest along the road. Hence, it is not located in such a prominent position as the appeal site. The site circumstances are sufficiently different so as to not alter my conclusion.
  10. I am not unsympathetic as regards the appellant's situation and why the development was built without planning permission. However, as these matters are largely of a personal nature, they carry limited weight in my decision and do not outweigh the harm that arises.
  11. I conclude that the development has an unacceptable effect on the character and appearance of the area. Therefore, it does not comply with Policies DS1 and DS3 of the Council's Local Plan for the Bradford District Core Strategy Development Plan Document (2017). These policies are concerned with good design and high quality places, as well as that proposals should create a strong sense of place and be appropriate to their context in terms of layout, scale, density and materials, amongst other considerations.
  12. The development also does not accord with the Council's Householder Supplementary Planning Document (2012) which aims to ensure that proposals are well designed and complement or enhance the character of the original property and the wider area, including boundary walls, fences and gates.

## **Conclusion**

13. For the reasons set out above and having regard to all matters that have been raised, the appeal should be dismissed.

*Darren Hendley*

INSPECTOR