



Appeal Decision

Site visit made on 20 July 2020 by C McDonagh BA (Hons), MA

by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2020

Appeal Ref: APP/W4705/D/20/3254485

58 The Leavens, Apperley Bridge, Bradford BD10 0UW

- 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 Phillip Dick against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/01215/HOU, dated 30 March 2020, was refused by notice dated 19 May 2020.
 - The development proposed is a garden wall.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of development in the banner heading above reflects the description used by the Council in their decision notice. This more concisely describes the development than that description given in the application form. I have therefore proceeded with the appeal on this basis.

Main Issue

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

Reasons

5. The appeal site comprises the front garden of a detached dwelling. The property is located on one side of the entrance to The Leavens, which is marked by an existing stone wall with pillars and metal railings on both sides of the road. At the time of my site visit, the wall, subject to this appeal, appeared largely complete, with its design consisting of stone pillars spaced between lower sections of wall which are proposed to have metal piers above.
6. The appeal site occupies a prominent position when entering The Leavens from Tenterfields. The openness of the front of the property matched that of the opposite house and contributes positively to the area upon arrival. The wall subject to the appeal is a large and intrusive feature in the street scene, which is exacerbated by this prominent location. My attention is drawn to other boundary treatments in the vicinity, such as those to the front of No's 28-32

and the boundary wall of the estate itself. However, from my observations, these are of a lower height, with the railings above allowing a sense of permeability to remain. I also observed other boundary treatments in the area using hedges above low walls. In contrast, the wall proposed at the appeal site is significantly larger and of solid construction, creating an imposing structure at odds with the open feel indicative of the area. The use of similar materials, whilst appropriate in itself, does not mitigate the harm I have identified.

7. While I understand there is a variation in layouts of houses in the area, and there would be benefits to the appellant relating to privacy, security and minimising antisocial behaviour, I am not convinced, on the basis of all I have seen and read, that such measures could not be achieved with a more sympathetic scale of boundary treatment. I appreciate the wall follows the curve and rising topography of the road, but these factors do not justify the harm caused by its scale.
8. I am advised that No.56 was granted planning permission for a chain link fence. I could not see this fence on the site visit; however, I am informed this permission was granted in 1996, which predates the adoption of the development plan and National Planning Policy Framework. Moreover, even if that fence would have been of a design not found in the area, it does not follow that a further incongruous design should be encouraged as each proposal is assessed on its own merits. As such, this is not directly comparable to the development before me.
9. To conclude on the main issue, as set out above, the proposal causes significant harm to the character and appearance of the local area. Consequently, it fails to comply with the requirements of Policies DS1 and DS3 of the Bradford Core Strategy Development Plan Document, which seek to ensure design is informed by a good understanding of the site/area and its context. In addition, the proposal is contrary to the National Planning Policy Framework which states design should be sympathetic to local character.

Other matter

10. I appreciate the appellant may have been unaware that certain permitted development rights were removed at the property and that they sought to confirm whether planning permission was required. However, this would not justify allowing the appeal, which should be assessed on its own merits.

Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR