



Appeal Decision

Site visit made on 12 August 2020 by Andreea Spataru BA (Hons) MA

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2020

Appeal Ref: APP/W4705/D/20/3253429

197 Bradford Road, Shipley BD18 3TP

- 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 Ms Nicola Esgate against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/00254/HOU, dated 23 January 2020 was refused by notice dated 12 March 2020.
 - The development proposed is described as "Provision of safety fencing to the front boundary of the property. Works to be undertaken on the recommendation of the Authority's Occupational Therapy Team and to be provided through a Disabled Facilities Grant".
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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.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal relates to a stone built end of terrace dwelling, located on a corner plot, within a well-established predominantly residential area which has a traditional character. The neighbouring properties, as well as the appeal dwelling, are set back from the road and have low stone boundary walls and vegetation to the front. These boundary treatments make a significant contribution to the character and appearance of the street scene.
 5. The proposed development seeks to enclose the front and side boundary of the appeal site by introducing an approximately 2.1m high galvanised mesh fence behind the existing wall fixed on posts set into the ground. Plans also indicate provision of new gates although there are no details of these before me.
 6. Given the location of the fence, the proposal would occupy a prominent position within the street scene and would be highly visible in both directions along Bradford Road and also along Wharnccliffe Road. Galvanised mesh fencing is an
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uncommon feature within this traditional residential area and, due to its height and material, the fence would be in stark contrast with the low stone boundary treatments of the neighbouring properties located on Bradford Road. Moreover, given that the fencing would be sited at the front of the property and extend for a significant distance around the site, it would have an oppressive effect that would significantly reduce the quality of what is a generally open area. Thus, the proposal would appear as an incongruous addition which would cause significant harm to the character and appearance of the area.

7. I have taken into account the reasons for the appellant seeking to introduce the fence and these appear, on their face, to not be without substance. In the main they revolve around security and personal safety. I note the personal circumstances that have been drawn to my attention in this regard and acknowledge the private benefit of the scheme to the family. However, I have no convincing evidence before me that the proposed boundary treatment is the only way through which the appellant's objectives can be achieved. I consider this particularly important in the context of the harm that I have identified. On that basis the personal circumstances carry moderate weight in support of the proposal.
8. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Nevertheless, for the reasons set out above, it does not follow from the PSED that the appeal should succeed.
9. Accordingly, I conclude that through a combination of its siting, height, length and materials, the proposal would result in significant harm to the character and appearance of the area. Therefore, the development is contrary to Policies DS1 and DS3 of the Core Strategy Development Plan Document, which together require, amongst other things, that developments are appropriate to their context in terms of scale, details and materials.
10. The private benefits of the scheme, as set out above, do not outweigh the identified harm or indicate that the proposal should be allowed contrary to adopted policy.

Recommendation

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

Andreea Spataru 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.

Susan Ashworth INSPECTOR