
Appeal Decision

Site visit made on 21 September 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 October 2020

Appeal Ref: APP/C4235/D/20/3257222

45 Buckingham Road West, Heaton Moor, Stockport SK4 4BA

- 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 Katie Thorp against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/075645, dated 10 January 2020, was refused by notice dated 9 July 2020.
 - The development proposed is erection of 1.4metres tall fence and sliding gate at front of property (retrospective).
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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 Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the surrounding area, and
 - the effect of the proposal on highway safety.

Reasons

Character and appearance

4. 45 Buckingham Road West is a detached dwelling located in a residential area. It is set back from the road with a driveway and garden to the front of the property. The area has an open character, with dwellings set back from the road and boundary treatments consisting of mainly low walls with landscaping behind. The open character of the area is accentuated by the low fences between the properties.
5. The appeal proposal is for an approximately 1.4 metre high sliding gate and attached fence to the front of the property. At the time of my visit, the structure was already in place. It is constructed from grey composite materials.

6. Due to the structure's solid design, height, length and siting in a prominent location on a straight section of road, it appears as a dominant and incongruous feature. As a result, it is discordant within the streetscene, and detracts from its attractive and spacious quality. Accordingly, it causes significant harm to the character and appearance of the area.
7. Whilst I acknowledge that there is a variety of boundary treatments in the street scene, the majority are low level and retain the open character of the area. I have taken into account the appellant's willingness to paint the structure in a different colour. Nevertheless, given its size and position, I am not persuaded that this would overcome the harm I have identified.
8. For the above reasons, the development harms the character and appearance of the area and conflicts with Policy SIE-1 of the Stockport Metropolitan Borough Council Core Strategy Development Plan Document (2011) and saved policy CDH1.8 of the Stockport Unitary Development Plan Review (2006), which together, amongst other things, seek to ensure that development has regard to the built environment and does not adversely affect character. It would also conflict with the policies in the National Planning Policy Framework (the Framework) that require development to add to the overall quality of the area and sense of place.

Highway safety

9. The fence/gates have been positioned immediately to the rear of the footpath and visibility splays have not been provided. Whilst I acknowledge that the width of the sliding gate is the same as the driveway and assists in providing visibility, the fence as positioned, and as a solid structure, does not allow pedestrians using the adjacent footpath to clearly see cars leaving the property's frontage. Furthermore, unless a car is positioned centrally within the driveway, motorists exiting the driveway are unable initially to see pedestrians using the footpath.
10. As such the development creates a safety risk to pedestrians using the path when approaching and crossing the appeal property's access. The increased safety risk to pedestrians resulting from the development is not sufficiently mitigated by the wide gate opening.
11. Therefore, I conclude that the development is detrimental to highway safety for pedestrians and is therefore contrary to Policy T-3 of the Stockport Metropolitan Borough Council Core Strategy Development Plan Document (2011) which seeks to ensure developments protect the safety of all road users.

Other Matters

12. I acknowledge the personal circumstances of the appellant and the desire to provide security for the property. However, these matters do not outweigh the harm I have found to character and appearance and pedestrian safety. Regardless, I am not convinced that there are no other measures open to the appellant for improved security which would not compromise the safety of pedestrians or be harmful to the character of the area.
13. I have taken into consideration the appellant's point that a similar fence and gates could be constructed to a height of 1m without the need for planning permission. Be that as it may, a 1m fence would have less of an impact on the

street scene and would allow improved visibility. Accordingly, I am not persuaded that a potential fallback position justifies the proposal before me.

Conclusion and Recommendation

14. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

15. 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