



Appeal Decision

Site visit made on 10 October 2022

by L Hughes, BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 November 2022

Appeal Ref: APP/W4705/D/22/3305429

6 Sunny Hill Grove, Keighley, Bradford BD21 1RU

- 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 Dayne Ward of Ward Electrical against City of Bradford Metropolitan District Council.
 - The application Ref 22/01890/HOU, dated 28 April 2022, was refused by notice dated 23 June 2022.
 - The development is a 6ft fence around the garden.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A fence has already been erected which appears to be similar to that proposed on the plans submitted with the appeal. I have determined the appeal on this basis.
3. I have simplified the appellant's description of development as it originally included a long justification for the proposal.

Main Issues

4. The main issues are the effect of the development on:
 - the character and appearance of the streetscene; and
 - highway safety.

Reasons

Character and appearance

5. Sunny Hill Grove is a narrow residential street with semi-detached dwellings along the stretch around the appeal site. Front boundaries comprise a range of types and materials, but all have a consistent character of being relatively low in height, allowing for long level views along the street and of the dwelling frontages.
6. The appeal proposal is for a much higher fence to the front and side boundaries. Despite that its colour somewhat blends with that of the dwelling, in this context its height is incongruous which creates an oppressive and dominant impact.

7. The dwelling plot does not itself have an unusually prominent position, being in the middle of the street and slightly lower than the dwellings opposite. However, because the fence is so tall and thus different in character to the other front boundaries, it attracts prominent attention within the streetscene. Retention of vistas along the street are important to its character despite not being located within Green Belt or a Conservation Area.
8. In conclusion therefore, the development results in harm to the character and appearance of the streetscene. This is contrary to Policies DS1 and DS3 of the Bradford Core Strategy Development Plan Document (2017), which aim to achieve good design and create high quality places, and to ensure that new developments are appropriate to their context. Specifically, this relates to scale and layout, and in responding to the existing positive patterns of development which contribute to the character of the area. It is also contrary to guidance in the Bradford Householder Supplementary Planning Document (2012), which sets out that boundary treatments should normally match the height of those on either side in order to contribute to the character and quality of the street, and should not obstruct views of the house from the street to maintain natural surveillance and reduce opportunities for criminals.

Highway safety

9. The height and extent of the fence blocks views along the street for vehicles exiting the adjacent driveways to either side of the appeal site, compounded by on-street parking further limiting visibility. My site visit identified that one of those driveways is used for parking, and the other appears to have potential for parking, notwithstanding the appellant's suggestion that there is insufficient depth and width to allow for this.
10. I therefore find there to be an unacceptable risk of harm to pedestrians, cyclists, and vehicles because of potential conflict with vehicles exiting the driveways adjacent to the appeal site. This is further enhanced because there is no pavement on the opposite side of Sunny Hill Grove so all pedestrians would move along the appeal side.
11. In conclusion, the development would result in harm to highway safety. This would be contrary to Policy DS4 of the Bradford Core Strategy, which aims to encourage people to walk and cycle, and for a network of routes which are easy for all people to move around. It would also be contrary to the National Planning Policy Framework (2021), specifically paragraphs 111 and 112 whereby development should not have an unacceptable impact on highway safety, and should create places that are safe, secure, and attractive and which minimise the scope for conflicts between pedestrians, cyclists, and vehicles.

Other matters

12. The height of the fence contributes towards improved pet safety and security for the host property. It also improves the appellant's privacy, in part due to topography which sites the dwelling lower than the pavement and dwellings opposite. However, these are only small private benefits for the occupiers, plus overlooking is a historic situation common to many of the dwellings on the street. Therefore the harm arising is not outweighed. While the fence may also increase pedestrian safety in relation to the appellant's dogs, this small public benefit also does not outweigh the harm.

Conclusion

13. The proposal conflicts with the development plan as a whole. With no other material considerations outweighing this conflict, for the reasons given above I conclude that the appeal is dismissed.

L Hughes

INSPECTOR