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# Appeal Decision

Site visit made on 22 March 2023

**by D J Barnes MBA BSc(Hons) DipTP MRTPI**

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

**Decision date: 18 April 2023**

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**Appeal Ref: APP/K0235/D/23/3315585**

**62 Folkes Road, Wootton, Bedford MK43 9BX**

- 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 Mrs Omaina Algralw against the decision of Bedford Borough Council.
  - The application Ref 22/02635/FUL, dated 5 December 2022, was refused by notice dated 25 January 2023.
  - The development proposed is the relocation of a 2 metre high fence.
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## Decision

1. The appeal is dismissed.

## Procedural Matter

2. For reasons of clarity, the description of the proposed development has been adopted from the Council's Decision Notice.

## Main Issues

3. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the streetscene and (b) the safety of other highway users.

## Reasons

### *Character and Appearance*

4. The appeal property is a detached 2-storey dwelling located at the junction of Folkes Road and Hide Close. The garage of the property is located at the end of the rear garden and is accessed from Hide Close. This road also serves as the means of vehicular access to 4 other dwellings and is also a route to a children's play area. The property is situated within a residential area which includes a mix of dwelling types and designs.
5. By its siting at the road junction and adjacent to an area of landscaped greenspace, which is part of the surface water drainage system, the property is a visually prominent dwelling within the streetscene, particularly its flank wall and the timber fence boundary with Hide Close. Two of the dwellings fronting Hide Close have open and verdant gardens facing towards the greenspace and are viewed within the same streetscene as the property's flank wall and the existing fence.

6. The proposed development includes the erection of a timber fence to replace the existing fence albeit in a different location. The proposed fence would enclose a strip of land situated between the property's current garden fence/flank wall and Hide Close. The enclosure of this strip by the proposed fence would result in the loss of an area of soft landscaping and introduce a timber fence sited closer to Hide Close than the existing boundary fence.
7. The green strip of land which would be enclosed currently makes a positive contribution to the character and appearance of the open and verdant streetscene along Hide Close which includes the greenspace and the front gardens of 2 dwellings. The loss of this strip of land would be detrimental to the open and verdant character and appearance of the streetscene along Hide Close.
8. Further, and when viewed from the west, the siting of the proposed fence would project significantly forward of the front elevation of the dwelling fronting this part of Hide Close. The siting of the proposed fence forward of the neighbouring dwellings would further contribute to the loss of openness along Hide Close and adds to the unacceptable harm to the open character and appearance of the streetscene which has already been identified. Reducing the height of the proposed fence to 1.8 metres, as suggested by the appellant, would not alter the judgement reached.
9. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the streetscene and, as such, it would conflict with Policies 28, 29 and 30 of the Bedford Local Plan (LP). Amongst other matters, these policies require development to take into account, and make a positive contribution to, the character of its surroundings and to enhance distinctiveness and sense of place. It is also concluded that there would be a conflict with Policy W12 of the Wootton Neighbourhood Plan (WNP) which refers to development being designed to reflect the prevailing pattern and scale of development in the immediate location and to protect and enhance the existing streetscene.

#### *Highway Safety*

10. There is a need for any vehicles exiting the hardstanding in front of the property's garage to be able to see and to be seen by drivers, cyclists and pedestrians travelling along Hide Close. The current siting of the fence enables this to happen. Although the frequency and speed of vehicles may well be low, pedestrians and cyclists, including children travelling to or from the play area, travel along Hide Close.
11. The proposed fence would be sited either side of the hardstanding, and when taken together with its 2-metre height, the appeal scheme would impede visibility for vehicles exiting the hardstanding and for cars, cyclists and pedestrians travelling along Hide Close. Although the decision has not been provided, the assessment of the previous Inspector referred to in the Planning Officer's report remains appropriate, namely the proposed development would create a conflict between vehicles emerging from the driveway, especially if they were reversing, and pedestrians/other vehicles travelling along Hide Close.
12. On this matter it is concluded that the proposed development would result in an unacceptable danger to the safety of other highway users and, as such, it

would conflict with LP Policy 31 which refers to development proposals not having any significant adverse impact on access to the public highway, including by reason of the suitability of any access arrangements to and within the development for all members of the community. WNP Policy W12 refers to parking provision rather than access to development proposals and is not, therefore, of direct relevance to this main issue.

13. Accordingly, and for the reasons given, it is concluded that this appeal should be dismissed.

*D J Barnes*

INSPECTOR