



Appeal Decision

Site visit made on 24 January 2024

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2024

Appeal Ref: APP/L2630/D/23/3331318

11 Bobbins Way, Swardeston, Norwich, Norfolk, NR14 8DT

- 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 Christopher Dinnage against the decision of South Norfolk District Council.
 - The application Ref 2023/1619, dated 31 May 2023, was refused by notice dated 31 August 2023.
 - The development is a fence and gabion pillars to the front of one property.
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Decision

1. The appeal is allowed and planning permission is granted for a fence and gabion pillars to the front of the property at 11 Bobbins Way, Swardeston, Norwich, Norfolk, NR14 8DT, in accordance with the terms of the application, Ref 2023/1619, dated 31 May 2023, and the plans submitted with it.

Main Issues

2. The main issues are the effect of the development on i) highway safety and ii) the character and appearance of the area.

Reasons

Highway safety

3. The appeal site is located on a quiet modern residential estate road, with a 30mph speed limit. Traffic movements along this road are likely to consist primarily of domestic vehicles, and occasional delivery and service vehicles.
4. There is very little information before me to substantiate the Council's highway safety concerns, other than that the pavement is only 1.5 metres wide, and that as such there would not be a 2 metre visibility splay between the end of the private driveways and the public road.
5. As the driveways to Nos. 9 and 11 Bobbins Way are both wide enough for two cars, and are served by equally wide dropped kerbs, drivers, cyclists and pedestrians would be aware of their presence when approaching them and would be able to see any vehicles attempting to exit them. Moreover, vehicles would not be exiting these driveways at speed or attempting to join a road of busy or fast flowing traffic. Guidance contained in the Manual for Streets states that the absence of wide visibility splays at private driveways will encourage drivers to emerge more cautiously.
6. Due to the alignment of the road, visibility from the driveway of No.11 continues to be good in both directions. Although the fence slightly restricts

visibility to the south-east, from the driveway of No.9, traffic approaching from this direction would be on the opposite side of the road and would become visible to drivers of vehicles exiting No.9 before they join the highway.

7. I note that the access road between Nos.1 and 9 Bobbins Way, which serves a cul-de-sac of 4 dwellings and has no footways, has high walls, fences and hedges planted on either side of it, up to the carriageway edge and up to the edge of the footway at its junction with Bobbins Way. Other properties on either side of Bobbins Way also have hedge planting along the edge of the footpath, some of which already exceeds a metre high and which will, along with other less mature hedge planting, continue to grow.
8. The dwelling on the junction of Hemnell Place and Bobbins Way, and its rear garden wall, is also located up to the edge of the pavement, obstructing the visibility of the private driveway serving the dwelling behind it.
9. As the footway is the same width throughout the estate, it is clear that other 1.5 metre visibility splays have been accepted on to Bobbins Way from private driveways.
10. I therefore conclude that the fence and pillars do not restrict visibility from the driveways of Nos. 9 or 11 Bobbins Way, to an extent that causes danger and inconvenience to users of the adjoining public highway. As such the development accords with Policy DM3.11 of the South Norfolk Local Plan Development Management Policies Document 2015 (the DMPD), which seeks to resist development that endangers highway safety or the satisfactory functioning of the highway network.

Character and appearance

11. There is no uniformity or distinctive consistency to the boundary treatments adjacent to the highway on Bobbins Way. Although some properties are open plan, many of the front gardens are enclosed by fencing and landscaping of varying types and heights. Rear gardens located adjacent to the highway are bound by high brick walls, some of which are set in with planting in front of them and some of which sit just behind the pavement.
12. The fencing in question consists of narrow horizontal timber bars with narrow gaps between them that allow obscured views through to the garden and the front of the house. The gabion pillars comprise large wire cages filled with stones of multiple sizes and colours that reflect the coloured render and other paving to the front of the house. The height of the fence steps down with the slope of the road and neither the fencing nor the pillars exceed the height of other boundary walls, fences and planting that exists between the houses and the road in this area. Given the variety of boundary treatments present within the streetscene, the appeal proposal, despite being different, is no more dominant or harsh than other walls and fences in the immediate area.
13. I therefore conclude that the development does not adversely affect the streetscene and is not contrary to Policy DM3.8 of the DMPD or Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011. These policies seek to promote good design that respects adjoining structures and spaces and integrates successfully into its surroundings.

Conclusion and Conditions

14. For the reasons given above the appeal is allowed. As the development has already been completed no conditions are necessary.

R Bartlett

INSPECTOR