



Appeal Decision

Site visit made on 5 March 2024

By Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2024

Appeal Ref: APP/W4705/D/23/3334908

27 Sedbergh Park, Ilkley, Bradford LS29 8SZ

- 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 Jayes against the decision of City of Bradford Metropolitan District Council.
- The application Ref is 23/02653/HOU.
- The development proposed is new boundary wall and fence to replace hedges.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The wall and fence subject of this appeal are in situ, and I am consequently dealing with the appeal retrospectively. Since the submission of the appeal a revised National Planning Policy Framework (December 2023) (the Framework) has been published. As its provisions are similar in relation to the main issue within this appeal no party has been prejudiced by my consideration of the appeal after its publication.

Main Issue

3. The main issue is the effect of the development on the street scene within Sedbergh Park.

Reasons

4. The appeal property is a detached bungalow located on a residential street. The street scene is characterised by low boundary treatments and planting to the front of properties. This results in a pleasant soft environment with open views to the front of properties.
5. The fence and wall have enclosed the host property and, due to its height and length, it appears a strikingly stark feature restricting views of the bungalow in the street. Both the wall and fence's height and length adjacent to the footway create a hard edge that appears as unduly dominant solid features that are at odds with the predominantly lower boundaries and soft open qualities along the street. The compatibility of the stone and timber with local materials, the ageing of the timber over time, the street planting to the front, and the low level of traffic in the street do not alter or outweigh these concerns.
6. My attention has been drawn to a tall fence to the front of No 29 Sedbergh Park. However, that boundary does not fully enclose the property and views of the front of the dwelling can still be achieved from the street. In this regard, it does not have the same striking and concealing effect as the combination of

the wall and fence at the appeal premises. Moreover, whilst the development replaced a hedge, and planting could also be dominant and concealing, the soft qualities of planting would not be harmful in the street scene.

7. I have also considered a split decision as suggested by the appellant if I find only one aspect of the development to be unacceptable. The timber fence has a greater level of harm than the stone wall due to its striking and concealing nature to the front of the property, which is more overtly at odds with the street scene. However, due to the height and length of the stone wall running past the front building line of the dwelling toward the corner it is also an imposing and harmful feature on its own. As such, both elements in their current form, individually and cumulatively harm the street scene.
8. I therefore conclude that the development has a harmful effect on the street scene within Sedbergh Park. The development therefore conflicts with the requirements of Policies DS1 and DS3 of the Council's Core Strategy Development Plan Document and the guidance in its Householder Supplementary Planning Document, in so far as they relate to this matter and when taken together. These say, amongst other things, that development proposals should create a strong sense of place and be appropriate to their context in terms of layout, scale, density, details and materials.
9. Good design is a key aspect of sustainable development and the desirability of new development making a positive contribution to local character and distinctiveness. The development improves security and privacy at the host property, prevents children and pets escaping, and is easy to maintain.
10. However, personal circumstances will seldom outweigh more general planning concerns. Moreover, I have not been presented with any evidence to suggest that other ways to achieve the appellant's aims were investigated and discounted that might not have a harmful effect on the street scene. The absence of harm in relation to other considerations are neutral matters that weigh neither for nor against the development.
11. As such, although the development benefits the appellant's living conditions, I afford these benefits limited weight and I am not persuaded that they outweigh the harm in this instance. Therefore, the development does not represent sustainable development as sought by the Framework.
12. For the reasons given above, the development conflicts with the development plan and there are no material considerations that outweigh this conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR