



Appeal Decision

Site visit made on 20 November 2024

by A Caines BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2024

Appeal Ref: APP/W4705/D/24/3352356

72 Eaglesfield Drive, Bradford BD6 2PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Elzbieta Rymarz against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/02165/HOU.
 - The development proposed is described as "The project includes building a new fence and a gate, length approx: 34m. The height of the new fence and gate 6ft (approx 182 cm). The project includes removal of an old existing growing hedge (approx 11m).
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

Character and appearance

3. Eaglesfield Drive is part of an established residential environment with properties generally set back from the road behind low fences or walls, and in some cases hedges. There are some exceptions, like the tall fence at No 25, but these are very much in the minority. As a result, boundary treatment generally maintains a degree of openness to the roadside, or otherwise imparts a complementary soft and verdant form of enclosure to the street scene through the use of natural vegetation.
4. The appeal property faces onto a small parking court. The southern boundary to the parking court is currently formed by a hedge, while the shorter western boundary to Eaglesfield Drive contains a low timber driveway gate, in keeping with the prevailing character.
5. The proposal seeks to replace the existing hedge and gates with composite plank panels set between concrete posts. The drawings indicate an overall height of approximately 1.8 metres.
6. In my judgement, the height, design, materials, and mostly solid nature of the development would create a harsh edge to the back edge of the pavement and stand out as noticeably different to most other boundary treatments in the street. The overall effect would be a visually discordant form of development which detracts from the established character and appearance of the area.

7. I have noted that the appellant would be willing to make reasonable amendments with a view to achieving an acceptable outcome. However, any such discussions would have to be undertaken with the Council. I can only consider the scheme that is before me.
8. I therefore conclude that the development would unacceptably harm the character and appearance of the area. This is contrary to Policies DS1 and DS3 of Bradford's Core Strategy Development Plan Document (2017) (the CS), and the Bradford Householder Supplementary Planning Document (2012), which amongst other things, require that development proposals, including boundary treatments, are appropriate to their context in terms of scale, details, and materials, and contribute positively to the character and quality of the street scene.

Highway and pedestrian safety

9. The height and mostly solid nature of the proposed boundary treatment means that drivers would have to egress onto the public footway before they could see any oncoming pedestrians and traffic from the south. However, this is likely to be done at low speed and does not represent a significant change from the current situation where southern visibility is already obscured by a tall hedge. Nor is this a case where the use of the vehicular access would be intensified or be unexpected for pedestrians and other highway users in this typical residential environment.
10. Therefore, and in the absence of any objection from the local highway authority on these grounds, I find that the development would not be unacceptable in highway and pedestrian safety terms. In this regard, the proposal does not conflict with the general highway safety aims of Policy DS4 of the CS.

Other Matters

11. The development is likely to offer some privacy and security benefits to the occupants of the property. However, such benefits would be private in nature and do not outweigh the harm I have identified and the resultant conflict that arises with the development plan as a whole.

Conclusion

12. The development would be harmful to the character and appearance of the area, and therefore conflicts with the development plan when read as a whole. Material considerations do not indicate that a decision should be made other than in accordance with the development plan. As such, the appeal should be dismissed.

A Caines

INSPECTOR