
Appeal Decision

Site visit made on 8 July 2019

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2019

Appeal Ref: APP/E2734/W/19/3227270

Sunnydale, Arkendale Road, Ferrensby HG5 0QA

- 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 David Ratcliffe against the decision of Harrogate Borough Council.
 - The application Ref 19/00796/FUL, dated 21 February 2019, was refused by notice dated 16 April 2019.
 - The development proposed is described as retrospective application to retain gate, boundary walls and railings.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The development sought is in place. It is broadly consistent with the details shown on the plan.
3. Retention is not an act of development under the above Planning Act. I have assessed the appeal scheme as one that seeks retrospective planning permission for the development as it is described in the above heading.

Main issue

4. The main issue is the effect of the development on the character and appearance of the local area.

Reasons

5. This appeal relates to a gate, walls and railings at a vehicular access to the site off Harrogate Road within the open countryside. Along this section of the highway, I saw few examples of accesses with the roadside largely characterised by grass verges and hedgerows mostly set within attractive, undulating rural landscape.
6. In oblique views from Harrogate Road, the hedgerows on either side of the site partially screen the development and the new brick walls noticeably reduce in height closer to the highway. The new gate is also set back from the main carriageway. Even so, from numerous vantage points along Harrogate Road, the development still draws the eye given its prominent position to the road.
7. With their solid form of construction, the new brick walls appear as rather stark and formal boundary features that sharply contrast with the low-key and more

informal metal gate that has been replaced. The domestic style of the new railings and gate, which in my experience are more typically found within suburban residential areas, also look out of place in a largely open rural setting such as this. For these reasons, the development is obtrusive and a highly unsympathetic form of development in this part of the countryside. Additional planting to screen and visually soften the development would not satisfactorily mitigate the unduly harmful impact of the development.

8. In reaching this conclusion, I note that the type of brick used matches that of the holiday cottage and garage located some distance into the site. I have also had regard to the examples of gates to which the appellant has referred and provided photographs. None of the cases identified are similar in design to the development before me nor share the same local street scene as the site. The appeal scheme also differs in form and style to the decorative railings and hedgerows that mark the entrance to a large property set within grounds on the opposite side of the road to the site. As these examples are not directly comparable to the appeal scheme I attach no more than limited weight to them in support of the appeal.
9. On the main issue, I conclude that the development seriously harms the character and appearance of the local area. As such, it conflicts with saved Policies C2 and HD20 of the Harrogate District Local Plan, Policy EQ2 of the Harrogate District Core Strategy and the Council's Supplementary Planning Guidance, *Landscape Character Assessment*. These policies and guidance aim to protect and enhance the natural environment including landscape character, encourage exemplar design and seek to ensure that development adds to the spatial quality of the area. It is also contrary to the National Planning Policy Framework, which notes that planning decisions should recognise the intrinsic character and beauty of the countryside.
10. I appreciate that the new gate is set back from the road, which allows vehicles and trailers to pull off the main carriageway before the gate is opened. This arrangement has obvious benefits for highway safety compared to the gate that has been replaced, which was close to the road. The new railings also provide a barrier to cattle and added security to the existing properties. However, there is nothing before me to indicate that these benefits could only be achieved in the manner sought.

Conclusion

11. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR