



Appeal Decision

Site visit made on 23 September 2019

by E Symmons BSc (Hons), MSc

an Inspector appointed by the Secretary of State

Decision date: 17 October 2019

Appeal Ref: APP/E2734/D/19/3232966

Corn Close Barn, Heathfield, Pateley Bridge, Harrogate HG3 5HL

- 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 P Hawley against the decision of Harrogate Borough Council.
 - The application Ref 19/01919/FUL, dated 3 May 2019, was refused by notice dated 13 June 2019.
 - The development proposed is for erection of a garden fence/hedge to boundary – Revised Scheme.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During my site visit it was apparent that the appeal structure had already been constructed.

Main Issues

3. The main issue is the effect of the proposal on the character and appearance of the Nidderdale Area of Outstanding Natural Beauty (AONB) and the undesignated heritage asset.

Reasons

4. The appeal site lies within the Nidderdale AONB. The National Planning Policy Framework¹ (the Framework) sets out that such areas have the highest status of protection in relation to landscape and scenic beauty, and that great weight is to be afforded to the conservation of these matters. Similarly, Saved Policy C1 of the Harrogate District Local Plan 2001 (Local Plan) has a presumption against development which would have an adverse effect upon the AONB. This is supported by Saved Policies C2, C16, H15 and HD20 of the Local Plan and Policies SG3, SG4 and EQ2 of the Harrogate District Local Development Framework Core Strategy 2009 (Core Strategy). These policies, together and amongst other matters seek that the area's landscape and countryside quality and character is protected.
5. The AONB in this area has a highly rural and tranquil appearance due to the lack of any visible significant development. The dwelling is a traditional two storey stone-built barn conversion which sits in a prominent position adjacent to Low Wath Road. There is a drive/forecourt to the front of the dwelling with

¹ National Planning Policy Framework. February 2019.

access to the side and rear garden via the right side of the dwelling. The property boundaries including that at the rear of the garden comprise low drystone stone walls which are characteristic of the area. The house is an undesignated heritage asset which, in common with the other properties within this small group of buildings, retains its original rural and agricultural character. It is therefore significant and merits consideration within this decision. This adds to the character of the surrounding area which is similarly rural and surrounded by open countryside views.

6. The Heritage Management Guidance Supplementary Planning Document 2014 (Heritage SPD) seeks that development protects heritage assets, their setting and contribution to the local character. New development should enhance features which contribute to this local character. The House Extensions and Garages Design Guide Supplementary Planning Document 2005 (House Extensions SPD) recommends this approach on conversions of rural buildings so as to retain their agricultural and rural appearance.
7. A timber fence consisting of lattice panels has been erected within the garden directly adjacent to, and so screening, the rear drystone wall. This is, according to the submitted drawings, two metres high and 24 metres long. As seen during my site visit, the fence forms a large and prominent feature within the landscape which dominates the stone wall to the detriment of the character and appearance of the area. The garden of the property can be seen quite clearly from the surrounding fields and the road to the south of the property which leads to a caravan park. The new fence is similarly visible forming an incongruous and urban feature within the rural and agricultural setting.
8. The appellant considers that the effect of the fence will be fully mitigated by associated planting which will form a hedge-like feature. However, the species shown, although they may have value for wildlife, are not predominantly hedge species and, as seen during my site visit, have not covered the fence to any substantial degree. Additionally, the current planting positions would only mitigate views as seen from within the garden and not from more public viewpoints. Even if the vegetation were to cover the fence, the height and mass of the structure would represent a prominent and uncharacteristic feature within the landscape. Having particular regard to the AONB and the setting of the undesignated heritage asset the large panels which have been erected block open views and due to their height, mass and position harm the character and appearance of the area. Erection of the fence conflicts with advice contained within the Heritage and Household Extensions SPDs, saved Policies C1, C2, C16, H15 and HD20 of the Local Plan, Policies SG3, SG4 and EQ2 of the Core Strategy and the Framework.

Other Matters

9. The appellant has indicated that the fence was erected to improve privacy within the garden and provide separation from the neighbouring property. Whilst I sympathise with this view, the private benefit gained from the fence does not outweigh the harm I have identified to the surrounding Landscape value within the AONB and the setting of the heritage features.
10. It is suggested that this type of development would usually be permitted. However, as this property is within an AONB and has been identified as an undesignated heritage asset, restrictions have been placed on such permitted

development rights. This has been done to protect the character of the landscape and built features which make the area special.

Conclusion

11. I find that the fence has a harmful effect on the character and appearance of the area, including the character of the AONB and the setting of the undesignated heritage assets. The proposal is therefore contrary to saved policies of the Local Plan, the Core Strategy and the Framework when taken as a whole.
12. For the reasons stated above I conclude that the appeal should be dismissed.

E Symmons

INSPECTOR