



Appeal Decision

Site visit made on 2 March 2021

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2021

Appeal Ref: APP/C2741/D/20/3263630

20 The Cranbrooks, Wheldrake, York YO19 6AZ

- 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 Royston Macmillan against the decision of City of York Council.
 - The application Ref 20/01170/FUL, dated 1 July 2020, was refused by notice dated 18 September 2020.
 - The development proposed is erection of 1.5 metre boarded fence on top of existing dwarf brick boundary wall to side and rear.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the streetscape.

Reasons

4. The appeal site consists of a bungalow on a corner plot within a residential estate. The layout of the site is relatively unorthodox, with the side and rear garden being open to the street. This arrangement gives the appellant's rear garden minimal, if any, privacy. This also raises issues of safety and security, and I am mindful of the appellant's concerns in respect of children and pets using a garden which gives easy access to the highway. For these reasons, I consider the appellant's wish to enclose the garden is reasonable.
5. However, the scheme as proposed would consist of a fence extending for a significant distance directly adjacent to the edge of the footpath. Even allowing for the use of decorative panels, this would lead to a stark enclosing feature in a prominent part of the streetscape. Whilst other properties in the vicinity of the site have enclosed garden areas, this has been achieved through planting

such as hedging which provides a softer aspect to means of enclosure on this estate.

6. The proposed fence would not extend to the front of the property, and would maintain this open front aspect which is representative of other properties on the estate. However, this does not lead me to a different conclusion in respect of the harm arising from the extent and siting of the proposal.
7. Reference has been made to a fence at the entrance to the estate. However, I have not been provided with full details of the circumstances that led to this fence being constructed to enable me to determine if this represents a direct parallel to the appeal proposal. In any event, this served to confirm the stark and obtrusive character of an extent of high fence close to the highway, even allowing for differences in design compared to the appeal before me.
8. I conclude that the proposal would lead to significant harm to the character and appearance of the streetscape due to its extent, height and siting. The proposal would therefore be contrary to the design requirements of policy GP1 of the Development Control Local Plan 2005 and policy D1 of the City of York Publication Draft Local Plan 2018. Furthermore, the proposal would conflict with the National Planning Policy Framework with regards to achieving well-designed places. The proposal would also be contrary to the advice of the City of York House Extensions and Alterations Draft Supplementary Planning Document 2012 in respect of boundary treatment, which should be in keeping with its surroundings.
9. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR