



Appeal Decision

Site Visit made on 3 August 2021

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2021

Appeal Ref: APP/E2734/D/21/3278318

4 Oxmoor Meadows, Hunsingore LS22 5NQ

- 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 Wayne Brown against the decision of Harrogate Borough Council.
 - The application Ref 21/00682/FUL, dated 18 February 2021, was refused by notice dated 13 April 2021.
 - The development was originally described as '*retrospective application for retention of garden wall*'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made to retain a garden wall erected at the front of the appeal property. It is clear that the Council determined the application retrospectively and, from my observations of the site during my visit, I am satisfied that what is in place corresponds with the details shown on the submitted plans. I have determined the appeal accordingly.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the surrounding area.

Reasons

4. Hunsingore is a small, rural settlement set in pleasant, gently rolling countryside. The main approaches to the settlement, and thus to the appeal site, are typical of such rural surroundings. The network of field hedges alongside the approach roads to the settlement continue into the settlement, with field hedges and hedge boundaries to residential properties as typical, if not more so, to Hunsingore's pleasant rural character as boundary walls are.
5. There is a mix of roadside boundary wall and fence enclosures across Hunsingore, a number of which the appellant has referred me to in the appeal submission. These include a similar masonry wall / pillars with timber panel fence inserts at a nearby property on Church Hill. I saw that there are also other examples of boundary walls at the fronts of properties adjacent to the pavement / carriageway edge elsewhere within the settlement, but that is not to say that such walls are the prevailing form of front boundary enclosure in Hunsingore.

6. However, even those walls and fences cited by the appellant are not, with a sole exception, closely comparable with the enclosure at the front of the appeal site. For the most part, the rural character and grain of the settlement, and particularly its historic core and older buildings, accommodates substantial stone and brick walls without fanfare. Often more substantial and taller than that at the appeal site, they are nevertheless discrete and subtle enclosures in keeping with Hunsingore's rural character and setting. As the appellant correctly notes, the network of boundaries adds to the area's distinctiveness and character.
7. The wall at the appeal site however is not subtle. Although constructed of light-coloured stone to match that of the main house, it nevertheless has a harshly stark, strident and visually intrusive presence at the front of No. 4. The design and appearance of the wall and timber panels is not particularly typical of enclosures within Hunsingore, despite the examples cited by the appellant. Rather, it is more typical of a modern housing estate in an urban area. Nor does its location immediately to the rear of the pavement in a prominent position on the main road through Hunsingore do anything to assist in softening its appearance or mitigating its stark character.
8. During my visit to the site I noted the early stages of development on a site opposite but I have no information before me to suggest how the appeal scheme might be reflective of this scheme or the effect that it might have on the character or appearance of the surrounding area. Whilst I agree that the enclosure at a nearby location on Church Hill appears broadly similar to that at the appeal property I do not have the full details of that example before me. I cannot therefore be certain that its planning status or the circumstances surrounding its construction provide direct or meaningful comparison to the appeal scheme which I have, in any event, considered on its merits and the basis of the submitted evidence.
9. For the reasons set out above, I conclude that the wall at the appeal property is a stark and incongruous feature at odds with the pleasant rural setting and character of Hunsingore. I accept that there are examples of, in some cases substantial, walls in roadside positions but these contribute positively to, and are in keeping with, the settlement's character and appearance. The appeal scheme does not and is not and, as such, is contrary to Harrogate District Local Plan (LP) policy HP3. LP policy HP3 seeks to ensure that development is of a high quality and that it protects and enhances characteristics and features which contribute to local distinctiveness and character. Although the Council's '*House Extension's & Garages Design Guide*' is of some age, its approach to seeking good design is not at odds with the design aims of the National Planning Policy Framework (the Framework), nor should the absence of 'walls' or 'means of enclosure' in its title diminish its role in this matter as it specifically considers matters relating to walls and fences.

Other Matters

10. I understand appellant's desire to ensure privacy and to provide some relief from construction works on the site opposite, I am not persuaded that there are not other less visually harmful or intrusive ways of achieving these aims, or to balance these aims with maximising sunlight and daylight penetration to this south facing garden. These personal circumstances are not material

considerations to which I give any significant weight and do not persuade me to find the scheme acceptable.

Conclusion

11. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

G Robbie

INSPECTOR