



Appeal Decision

Site Visit made on 15 September 2021

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2021

Appeal Ref: APP/N2739/D/21/3268210

4 Camm Lane, Carlton, North Yorkshire DN14 9NX

- 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 Gareth Gummerson against the decision of Selby District Council.
 - The application Ref 2020/0909/HPA, dated 16 August 2020, was refused by notice dated 2 February 2021.
 - Replace existing hedge with a fence and gravel board.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Council's decision notice as it concisely and precisely identifies the development to which the appeal relates, omitting additional superfluous information. I have also referred to the 2021 version of the Framework¹, the substantive content of which has not changed from the previous iteration insofar as it relates to the main issue.

Main Issue

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

Reasons

4. The appeal scheme concerns the road facing boundary of the appeal site as it fronts Camm Lane. The existing maintained hedge is reflective of a number of other planted front boundary treatments in the area which also include low brick walls. The walls and hedges, in some cases a combination of both, exude a pleasant and verdant homogeneity to the street scene which is broadly consistent with the Carlton Village Design Statement for the Low Street area.
5. The height, length and solid design of the proposed fence, posts and gravel boards would introduce a substantial, stark and imposing feature which would sit uncomfortably with other established frontages. The loss of the hedge to facilitate it would reduce the verdant qualities of the street scene.
6. There are some other examples of frontage fencing but they are few and often lower in height to the appeal scheme. A similar height fence also sits on the appeal site's boundary with the footpath at the side and rear, to which timber

¹ The National Planning Policy Framework 2021

gates at the end of the driveway adjoin, but this has a more recessive presence and in any case is a treatment more common with private garden boundaries. There are some taller hedges in the vicinity than the proposed fence, which would itself be lower than the existing hedge. That said, it is more than the height of the fence that would give rise to harm, as I have explained above.

7. There would be some benefits to the appeal scheme. There could be improvements to security and screening of the garden and visibility on the exit from the driveway, as well as the possibility to use sustainable construction techniques in accordance with Policy SP15 (B) of the Core Strategy. I remain to be convinced the appeal scheme would be the only way to achieve these objectives which in any case would be marginal and thus I would ascribe them only moderate weight. I would attach substantial weight to the harm I have found to the character and appearance of the area, as well as the subsequent conflict there would be with the development plan, specifically Policy ENV1 of the Local Plan, Policy SP19 of the Core Strategy and the provisions of the Framework. Amongst other things, these seek to achieve high quality design having regard to local context and distinctiveness.

Other Matters

8. I have not been provided with any corroborative evidence pertaining to the health of the existing hedge. In addition, the processing and determination of the planning application is an administrative matter for the Council and any concerns therewith should be taken up with them. I have determined the appeal scheme with regard to its planning merits.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR