



Appeal Decision

Site Visit made on 20 September 2021

by J Hunter BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2021

Appeal Ref: APP/E2734/D/21/3280703

The Hawthorns, Harrogate Road, Knaresborough HG5 8DA

- 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 Chris Butler against the decision of Harrogate Borough Council.
 - The application Ref 20/03796/FUL, dated 20 October 2020, was refused by notice dated 18 June 2021.
 - Erection of concrete block retaining wall and Yorkshire stone boundary wall and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Part E of the appeal form states that the description of development has not changed from the application form but, nevertheless, a different wording has been entered. This revised wording is reflected in the decision notice of the Council and given its use by both parties I have used the revised description in the banner heading above, as it more succinctly and accurately describes the proposal.

Main Issues

3. The main issues are: i) whether the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (2021) (the Framework) and any relevant development plan policies; ii) the effect of the proposal on the openness of the Green Belt; iii) the effect of the proposal on the character and appearance of the area; and iv) if the proposal is inappropriate development, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

4. At paragraph 149, the Framework establishes that the construction of new buildings within the Green Belt should be regarded as inappropriate. Given that the term 'building' can include any structure or erection, I am satisfied that in relation to this appeal, the proposal can be considered a building under the terms of this part of the Framework. The proposed wall is not a type of building

which falls under the list of exceptions contained within Paragraph 149. The development is therefore inappropriate development within the Green Belt.

5. In the parlance of Paragraph 147 of the Framework, "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances"

Openness of the Green Belt

6. A fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both spatial and visual aspects.
7. The existing stone built, front boundary wall runs from the site entrance approximately 12 metres along the site boundary, stopping roughly in line with the front corner of the host dwelling. The proposal would see an increase in height of this section of wall to a maximum height of 2.2 metres (1.4 metres at its lowest point).
8. A concrete block retaining wall currently continues north easterly along the remaining 14 metres or so of the property boundary. The proposal would see the concrete blocks faced with Yorkshire Stone and its height would be increased to around 1.8 metres.
9. The wall would bound the public highway and would therefore be highly visible from the public realm however, around half of the wall would be seen against the backdrop of built form thus limiting the perception of its effect on openness. However, the increased height, particularly at the north eastern half would introduce a bulky solid form of development into a location that has previously been relatively open and devoid of development.
10. Overall, given scale, location and prominence of the proposed wall it would result in a reduction in spatial and visual openness of the Green Belt, albeit limited.

Character and appearance of the area

11. The appeal property is a substantial detached property at the end of a short row of semi-detached houses, set against a backdrop of open fields. The properties are set back from the roadside in spacious plots behind hedging and low timber fencing, or in the case of the appeal property, a low stone wall. The architectural detailing, red brick and light render give the properties a sense of uniformity and the low density of development and open, verdant surroundings afford the location a semi-rural feel.
12. The proposal would see the introduction of a substantial stone wall that would be almost double the length of the existing boundary treatment and in parts, up to a metre higher than as existing. In the open context of the immediate surrounding area this addition would have an urbanising effect, and when experienced from the footpath immediately adjacent, I consider that it would result in a stark, overbearing feature.
13. The combined effect of the increased, height, length and bulk of the wall would undoubtedly be compounded by the topography of the land making it appear more prominent than if the land were more level. Nonetheless, it would have a

detrimental effect of the character and appearance of the local area and would therefore fail to accord with the requirements of HLP policies HP3, HS8 and GS4. These policies collectively seek to, amongst other things, protect the Green Belt and promote high quality design that enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness.

Other considerations

14. I accept the appellant's assertions that there are other examples of solid stone walling in the wider area, and I do not disagree that the proposed Yorkshire Stone would be a material that is often used in and around the local area. However, in the immediate vicinity of the appeal property I did not see any comparable boundary treatments and in any event, I must determine this proposal on its own merits. To that end, the presence of other stone walling in the locality is a matter of neutral consequence in the overall planning balance.

Conclusion

15. I have concluded that the proposal would amount to inappropriate development in the Green Belt but that its effect on openness would be limited. However, in accordance with the Framework, substantial weight is attached to any harm to the Green Belt. I have also concluded that contrary to the development plan the development would cause harm to the character and appearance of the area.
16. The harm I have identified is clearly not outweighed by the other considerations. Consequently, the very special circumstances necessary to justify the development do not exist.
17. For the reasons set out above, and having regard to all other matters, the appeal should be dismissed.

J Hunter

INSPECTOR