



Appeal Decision

Site visit made on 27 June 2024

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2024

Appeal Ref: APP/U2750/D/23/3334593

5 Manor Farm Close, Carlton, Selby, DN14 9QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Emma Frost against the decision of North Yorkshire Council.
 - The application Ref is ZG2023/0425/HPA.
 - The development proposed is described as 'Erection of a single storey rear extension following the demolition of conservatory. Retention of existing boundary wall'.
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Decision

1. The appeal is dismissed insofar as it relates to the boundary wall.
2. The appeal is allowed insofar as it relates to the rear extension only and planning permission is granted for the erection of a single storey rear extension following the demolition of conservatory at 5 Manor Farm Close, Carlton, Selby, DN14 9QS in accordance with the terms of the application, Ref ZG2023/0425/HPA, and the plans submitted with it subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as it relates to the rear extension only: MC/PP.1, MC1A, MC2A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reasons

3. The main issues in this appeal are the effect of the proposed development on:-
 - the character and appearance of the street scene and the area with regard to the proposed boundary treatment;
 - the living conditions of the existing and future occupiers of the appeal property with regard to the proposed rear extension.

Character and appearance / boundary

4. The appeal site lies within a modern housing estate in which most properties have open plan front gardens or boundaries with low soft planting although

there are a number of properties that have higher hedges along their front boundary. In general, the street scene is pleasantly open and green, making a positive contribution to the suburban character and appearance of the area.

5. No 5 is a detached house that occupies a prominent corner position. A previous conifer hedge (that the appellant says was higher and dying back) has been replaced by a red brick wall topped with horizontal timber fencing in a grey finish, with some 18 piers at frequent and regular intervals. The boundary is some 2m in height. It forms the side boundary with no 3, extending along the frontage of no 5 in which there is a timber pedestrian gate and around the corner where there is a pair of timber gates that provide access to the side garden and finishing with the side boundary with no 7.
6. The red brick used in the wall does not match the multi coloured bricks of the dwellings but tones with that brickwork. The colour of the timber gates is muted and tones with the brickwork of the dwelling. Nonetheless, the hardness of those materials presents a stark contrast to the softness and greenery of most of the other boundaries.
7. Moreover, the length of the boundary is extensive which, together with its height which is greater than that of most of the boundaries in the street, gives it an overly prominent presence in the street scene. This is exacerbated by the design in which the 18 or so piers draw the eye, emphasising its scale and by the horizontal boarding that emphasises its length and is particularly dominant.
8. In addition to being overly dominant, the boundary also has a enclosing effect that is not seen to this extent elsewhere in the street scene and is at odds with the generally lower or open boundaries elsewhere.
9. I have noted the appellant's claim that the boundary is needed for security but have not been provided with any evidence that this is necessary and that there is no alternative means of improving safety such as cctv that would have less impact on the appeal site's surroundings.
10. I conclude then that the boundary treatment has resulted in significant harm to the character and appearance of the street scene and the area. As such, it is contrary to development plan policies ENV1 of the Selby District Local Plan (2005) (LP) and SP19 of the Selby District Core Strategy (2013) which require a high quality of design in new development that contributes to the character of the area. It would also be contrary to the National Planning Policy Framework (the Framework) which has a similar objective.

Living conditions / extension

11. The proposed rear extension would replace an existing conservatory and would be very similar in size and scale at some 4m by 4m with a height of some 3.5m. Although the rear garden of the property tapers towards the rear boundary and is modest in size and contains a garden room (that does not form part of this proposal), at my visit I saw that it provides a space of some 40 sq m for children's play (I noted a trampoline, play house and swing) and for hanging out washing, in addition to a good sized patio for sitting out. It also has a good level of privacy and sunlight. There is a further area of patio to the side of the property providing a second sitting out area and a reasonably sized front garden.

12. As such, the area of rear garden would not be unacceptably reduced by the proposed extension and would continue to provide an acceptable level of outdoor amenity space for the property. I conclude, therefore, that the proposal would not harm the living conditions of the existing or future occupiers and accords with development plan policy ENV1 in the LP which requires that the layout of development is of a high quality. It would also accord with the Framework which has a similar objective.

Conclusion

13. For the reasons given above, I conclude that the proposed boundary treatment is contrary to the development plan and there are no material considerations that would outweigh this. The appeal should be dismissed insofar as it relates to that boundary treatment.
14. I conclude, for the reasons given, that the proposed rear extension would accord with the development plan and there are no material considerations that would outweigh this. The appeal should be allowed insofar as it relates to that extension only.

Sarah Colebourne

Inspector