



Appeal Decision

Site visit made on 10 February 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 FEBRUARY 2025

Appeal Ref: APP/U2750/D/24/3357160

3 Norman Close, Thorpe Willoughby, Selby, North Yorkshire YO8 9NS

- 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 Mr Nigel Emery against the decision of North Yorkshire Council.
 - The application Ref is ZG2024/0828/HPA.
 - The development proposed is brickwork wall with composite fence panelling above to front boundary of existing property including steel/composite panelling gates as illustrated on attached working drawings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I noted from the submitted plans and evidence that the proposed development has been constructed, which was confirmed by my site visit observations. The development has largely been completed in-line with the submitted plans.
3. The second reason for refusal on North Yorkshire Council's (the Council) official decision notice relates to highway safety concerns. Since the submission of the appeal, correspondence has been received from the Council's highways officer confirming removal of their objection on this matter. No interested parties have raised highway safety concerns and therefore this matter is no longer in dispute.

Main Issue

4. The main issue is the effect of the front boundary treatment on the character and appearance of the area.

Reasons

5. Norman Close is a cul-de-sac characterised by a mix of house types and styles. However, there is a consistent theme of front boundary treatments, which provides a sense of cohesion in the street scene. The front boundary treatments are dominated by dwarf walls, interspersed with properties with no physical boundary at all, and some supplemented with soft hedge and shrub planting.
6. The front boundary treatment at No 3 Norman Close (No 3) originally followed this pattern with a dwarf wall, and short pillars either side of the pedestrian access and driveway gates, with soft hedgerow planting beyond. The property boundary has remained unchanged between the large access gate and No 5 Norman Close. This section of boundary retains the dwarf wall with hedgerow beyond and

provides an insight into the appearance of the remaining boundary treatment prior to the works being undertaken, and its contribution to the street scene.

7. Much of the front boundary treatment now comprises a dwarf brick wall, with grey composite fence panelling above, steel and composite panelled gates for pedestrian and vehicular access, and a brick arch surrounding the pedestrian gate.
8. The fence panelling and large brick arch, which extends considerably above the fence panelling, are dominant and oppressive features in the street scene. Their scale appears at odds with their surroundings when considering the prevailing front boundary treatments that exist on Norman Close.
9. Whilst it is acknowledged that the use of brick is in-keeping with the boundary treatments of neighbouring properties, the use of composite fence panelling appears as an alien material in the street scene.
10. The appellant asserts that the use of the grey composite material is consistent with other features on the property itself, such as the fascia boards, cladding and garage door. Whilst I find this to be the case, the fence panelling is prominent within the street scene, immediately adjacent to the highway, and is an anomalous material in this locality.
11. For the reasons set out above, I find significant harm to the character and appearance of the area, contrary to policy ENV1 of the Selby District Local Plan (2005) and policy SP19 of the Selby District Core Strategy Local Plan (2013), which seek to ensure development proposals are of a good design quality, and take account of local character, identity and the context of their surroundings.

Other Matters

12. I have had regard to the appellant's personal circumstances. Whilst it is understandable that previous events were distressing and impacted upon the health and well-being of the appellant and their family, the appellant's evidence confirms that various measures have been put in place to ensure the property is secure, in addition to the boundary treatment. I have found that there is significant harm to the character and appearance of the area, which outweighs the personal considerations put forward.
13. The appellant's evidence contains numerous photographs of examples of gates and boundary treatments that appear to be from a wide geographical area. No specific locational details or context have been provided and I am therefore unable to consider this evidence as substantive.

Conclusion

14. The proposal conflicts with the development plan taken as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

L Fern

INSPECTOR