



Appeal Decision

Site visit made on 25 March 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/E2001/D/24/3357051

May Cottage, Mill Lane, Seaton Ross, East Riding of Yorkshire YO42 4NE

- 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 Paul Hamilton against the decision of East Riding of Yorkshire Council.
 - The application Ref is 24/02479/PLF.
 - The development is erection of a 1.8m timber fence, in replacement of existing hedge.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged the National Planning Policy Framework (the Framework) has been updated. I am satisfied there are no changes of any consequence for the main issue in this appeal.
3. The development is complete, and I was able to view the timber fence at my site visit. I have dealt with the appeal on the basis that permission is being sought retrospectively for the erection of the fence.
4. The description of development in the banner heading is taken from the application form. However, the decision notice refers to a set of double gates which I note are shown on the plans. I have treated these as being part of the development

Main Issue

5. The main issue is the effect of the fence on the character and appearance of the site and the surrounding area.

Reasons

6. May Cottage is located on Mill Lane on the edge of Seaton Ross. It is one of the first properties that mark the northern entrance to the village. To one side of the property is an open arable field with a dwelling to the other side and further dwellings opposite. Mill Lane is a broad, straight lane with grass verges, intermittently planted with trees. Houses are typically set back from the lane within relatively spacious, landscaped plots with a mix of parking areas and gardens to the front. Gardens are predominantly enclosed to the front boundary by hedges of various species, with the occasional low brick wall or post-and-rail fence. Some properties have an open frontage. Close-boarded fencing is not present to the front boundaries of properties along Mill Lane, other than at the appeal property. Mill Lane, as with the remainder of the settlement, has a verdant, rural character and appearance that harmonises with the wider agricultural landscape beyond.

7. The timber fence, and entrance gates, extend along the front and part of the side boundary of the appeal property. They have a natural, unstained wood finish. The timber fence is a prominent and visually intrusive feature in the street and a marked departure from the prevailing character and appearance of the lane and surrounding area. The arable field to the side of the appeal property is not bounded by a hedgerow to the roadside and, as such, there is not a continuous hedge boundary from the settlement into open countryside. Therefore, the timber boundary fence does not break the line of boundary hedges but instead results in a disharmonious and harsh transition between the village and the surrounding agricultural landscape. Furthermore, rather than breaking-up the visual mass of the timber boundary fence the semi-mature tree standing in the roadside verge alongside it appears isolated and detached from the otherwise verdant character of the lane. Alteration to the colour or finish of the timber fence would not ameliorate the harm identified above.
8. Planting a hedge or other vegetation in the verge between the fence and the road may reduce the harmful effect of the fence to some degree. However, this would disrupt the established and strong line of front boundaries along the street. In addition, planting may prove difficult to establish and cannot be relied upon to provide sufficient screening, year-round to address the harmful effect of the fence. Moreover, I have not been provided with evidence that any such planting could take place without third party consent.
9. I have not been provided with sufficient evidence of the condition of the boundary hedge that was removed to erect the timber fence such that I can only afford very limited weight to this matter in my assessment. I acknowledge the fence provides added security, privacy and safety for children and animals to the front garden of the appeal property and may also contribute to a reduction in noise from passing traffic that would improve the living conditions of the occupants of the dwelling. While I have taken these benefits into account, they do not justify the harm identified above.
10. I conclude that the development would have had a significant detrimental effect on the character and appearance of the site and the surrounding area. Hence, it conflicts with Policies ENV1 and ENV2 of East Riding Local Plan Strategic Document, April 2016. Together these seek, among other things, to ensure that development contributes to safeguarding the character and appearance of the area and, through good design, have regard to the specific characteristic of the site and surrounding area, protecting the character and individual identity of settlements.

Other Matters

11. I note that there are no objections from the Parish Council, and I am told that all neighbours the appellant has spoken to are supportive of the fence. The neighbours have not put anything in writing, but even if they had it would not alter my conclusion that the development is harmful to the character and appearance of the area.

Conclusion

12. The development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

C Mayes

INSPECTOR