



Appeal Decision

Site visit made on 19 September 2025

By S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 22 September 2025

Appeal Ref: APP/E2001/W/25/3368156

Pinfold Lodge, 6 Pinfold Court, Preston, East Yorkshire, HU12 8SH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Liam Gowen against the decision of the East Riding of Yorkshire Council.
 - The application reference is 24/02781/PLF.
 - The development proposed is for the change of use of land to a domestic garden and the erection of wall/fence to the front and side.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal is made retrospectively for development already carried out.
3. The appellant describes the development as *'a small piece of grassed area adjacent to no.6 has been purchased and a fence has been erected around the area to enclose it and incorporate it into the current garden. The proposal is to make the newly purchased grassed area part of the existing domestic garden. A fence has already been erected around the newly purchased area'*. I have used the description of the local planning authority (LPA) in the banner above for the sake of conciseness.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Preston Conservation Area (CA).

Reasons

5. The LPA makes no objection to the use of the land for domestic garden purposes, and I have no reason to disagree. Therefore, the matter at issue is the boundary treatment of the enclosed land.
6. The Preston Conservation Appraisal Report 2006 (CAA) describes the character of the CA as one of close-knit properties with predominantly two-storey buildings and where the landscape is 'unashamedly hard'.
7. Pinfold Court, of which the appeal site forms a part, is a relatively new development of houses on the edge of the CA and with a more spacious appearance. However, while there are other examples of boundary treatments, notably hedging, there is a preponderance of brick walling in the vicinity of the appeal site, and which adds positively to the character, appearance, and significance of the CA described in the

- CAA. Moreover, and in particular, the brick walling adds distinctively and positively to the character and appearance of the CA when viewed along Staithes Road.
8. There is already such a brick wall adjoining the appeal proposal and which, by the use of its materials and its colour, reflects the external materials of the houses themselves to give a harmonious and unifying appearance to the housing development. It also reflects the height, materials and appearance of the existing walling on the opposite side of Staithes Road.
 9. The boundary addition, which is the subject of the appeal, by its use of a gabion base with wooden fencing above is experienced as an incongruous feature which does not integrate in an acceptably visual way, contrasting harmfully with the existing boundary brick wall and the external materials of the houses. Furthermore, the incongruity of the new boundary treatment is very visible from the adjoining Staithes Road, which is a busy thoroughfare.
 10. I find that the proposal would not preserve or enhance the character or appearance of the CA. In the context of paragraph 215 of the National Planning Policy Framework 2025 (the Framework), I conclude that less than substantial harm would be caused to the significance of the CA. Such adverse harm is moderate on the spectrum of less than substantial harm.
 11. In such circumstances, the Framework requires any public benefits to be weighed against any such harm. I find that no public benefits have been outlined which would be sufficient to outweigh the harm which I have identified.
 12. Therefore, I conclude that the development does not accord with policy ENV1 of the East Riding Local Plan Strategy Document Update 2025, which requires development to respect the character and appearance of the area within which it is located, including the use of materials, or with chapter 12 of the Framework which requires the same. Neither does it accord with chapter 16 of the Framework which requires development to conserve and enhance heritage assets, or with the National Design Guide 2024, which requires high quality development which respects the local distinctiveness, character, and appearance of heritage assets.

Conclusion

13. There are no material planning considerations that indicate that the application should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR