



## Appeal Decision

Site visit made on 10 November 2008

by **J S Deakin FRICS**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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**Decision date:**  
13 November 2008

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**Appeal Ref: APP/H0738/A/08/2080556**  
**76 Holburn Park, Stockton-on-Tees TS19 8BJ**

- 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 P Hill against the decision of Stockton-on-Tees Borough Council.
- The application Ref 07/3425/FUL, dated 10 December 2007, was refused by notice dated 4 February 2008.
- The development proposed is erection of boundary wall to front and side - (retrospective).

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### Decision

1. I dismiss the appeal.

### Main Issue

2. I consider that the main issue is the visual impact of the boundary walls on the character and appearance of the surrounding housing area.

### Reasons

3. Holburn Park is a modern housing estate which was laid out with open plan front gardens. A planning condition was attached to the original consent prohibiting enclosures to the front of the dwellings, without first obtaining planning permission. The overall appearance of the estate is characterised by the open plan front gardens with lawns and soft landscaping.
  4. Virtually all the front gardens in Holburn Park are open plan although there are a very limited number of fences/walls to front gardens. Among these is a fence between Nos. 68 and 70 and a wall outside No.44 Holburn Park. However, the Council says that there is no record of planning permission having been obtained for these. In addition, there are some high brick walls or fences adjoining roads at the side or rear of dwellings; these provide screening to protect the privacy of back gardens. I consider that these examples are not material considerations of any significant weight in favour of allowing this appeal.
  5. The appeal site is on a short stub of road at the edge of the estate. There is a fence and a wall at the end of the stub providing privacy for the side garden of No.78 and there are also high fences along the western boundary of No.76. The walls under appeal are therefore seen against the background of higher walls and fences and this tends to slightly reduce their visual impact. Nevertheless, the walls are prominent and introduce a much harder built
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appearance, which contrasts with the soft landscaping elsewhere and detracts from the street scene and from the character and appearance of the estate.

6. The appellants' agent says that the walls are intended to provide protection from blown litter and loose dogs and other animals. The scheme incorporates a large open gateway and I do not see that the walls will have any great benefit in preventing litter or dog fouling.
7. In my opinion, the front and side walls are discordant features which detract from the open plan appearance of the estate. The development causes serious harm to the character and appearance of the area, contrary to Policy GP 1 of the adopted Stockton-on-Tees Local Plan – June 1997.

*J S Deakin*

INSPECTOR