



Appeal Decision

Site visit made on 4 February 2009

by **D R Cullingford BA MPhil MRTPI**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.g
ov.uk

Decision date:
10 March 2009

Appeal Ref: APP/H0738/A/08/2089234
28 Springfield Grove, Ingleby Barwick, TS17 0YW

- 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 by Miss Paula Coleman against the decision of the Stockton-on-Tees Borough Council.
- The application (ref: 08/1924/FPD and dated 16 June 2008) was refused by notice dated 18 August 2008.
- The development is described as 'revised application for erection of 1m high wrought iron fence to front and side and 1m high wrought iron gates enclosing driveway'.

Decision

1. For the reasons given below, and in exercise of the powers transferred to me, I dismiss the appeal.

Reasons

2. I saw that Springfield Grove is a street of neat detached houses set behind open-plan front gardens. The open gardens are a key characteristic of the street scene (indeed of the estate as a whole) combining to create a landscaped vista that enhances the verdant ambience of the place and accentuates the suburban characteristics of the estate. This is an inherent element in the design and layout of the dwellings here, reinforced by the removal of permitted development rights in 1991. The few roadside walls and fences evident here seem to me to be associated with corner plots, where the pressure of trespass might well be greatest. Otherwise, only a low post and rail structure demarcates the boundaries of some gardens on 'convex' street alignments, thereby maintaining the verdant vistas along the 'groves' and 'gardens'.
 3. The submitted drawings indicate to me that the proposed fence would be a good quality structure. However, I think that it would stand out amongst the existing open plan front gardens and interrupt the open swathe of lawns and shrubs at the head of this cul-de-sac. Although the front garden at the appeal property would be evident through the railings from vantage points directly opposite, the perception of space between the uprights would diminish from more oblique views, imparting a more solid and intrusive impact to the enclosure. Moreover, due to the position of the appeal property both towards the head of this cul-de-sac and on the outside of a slight bend in the road, it forms quite a prominent focal point in the street. In those circumstances, I think that the wrought iron fence proposed would create an incongruous intrusion into the open verdant vista here, thereby spoiling a key characteristic
-

of the street scene and undermining a fundamental feature in the design and layout of the estate. Worse still, this scheme would serve as a precedent that could, all too easily, jeopardise the aim to maintain the openness of these front gardens by encouraging a plethora of similar proposals. I agree with the Council that such development would damage the openness of the estate and be contrary to policy GPD1 of the statutory Local Plan.

4. I have considered all the other matters raised. I do not agree that the situation at 2 Talbenny Grove is similar to the appeal property, since the former occupies a corner plot where slightly different considerations seem to apply. Nor am I entirely convinced that the proposed railings would provide much effective protection against the nuisance caused through the use of this cul-de-sac by footballers, as is very fairly recognised in the submissions. I find, therefore, nothing sufficiently compelling to alter my conclusion that this appeal should be dismissed.



INSPECTOR