



Appeal Decision

Site visit made on 6 June 2011

by **Graham M Garnham BA BPhil MRTPI**

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

Decision date: 9 June 2011

Appeal Ref: APP/H0738/D/11/2152057

1 Winter Close, Yarm, Cleveland, TS15 9TY

- 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 Jonathan Ford against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 10/3002/FUL, dated 18 November 2010, was refused by notice dated 27 January 2011.
 - The development proposed is erection of fence to the front of property.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. According to the application form, the fence was completed on 18 May 2006. This does not affect my consideration of its planning merits.

Main Issue

3. I consider that this is the effect of the proposal on the character and appearance of the street scene.

Reasons

4. The west side of Winter Close provides rear access to properties on Davenport Road. These back gardens, including those either side of the entrance into the Close, are provided with high means of enclosure. However most of the properties in the Close face towards it and have open plan front gardens. These lack means of enclosure along the frontage or between gardens. There is some planting, which provides a measure of privacy while preserving openness and adding interest to the streetscene.
5. The fence at no.1 runs the full depth of the front garden from the house to the back of the footway. It abuts a footpath that connects the Close to a large area of public open space. I consider that it forms a stark and intrusive feature in the streetscene. It also forms an abrupt edge to the footpath. The appeal site is on the outside of a bend, so the fence is prominent on both entering the cul-de-sac and from the opposite direction. The strident tone of the staining adds to the discordant effect, though this

could be addressed by a planning condition. The impact could perhaps be softened by planting on the house side of the fence. However, this would not overcome the intrinsic incongruity of the fence, and such treatment would not be possible on the footpath side.

6. I viewed the cases referred to by both parties. These were on 7 other streets on the estate, all characterised by generally open plan front gardens. There was considerable variety in these means of enclosure, and I consider that none was exactly comparable to the appeal site. The Council says some of them are not authorised. They comprised a very small minority of all the frontages I observed. I consider that they provide no overriding justification that would outweigh the harm to the streetscene at the appeal site.
7. Overall I conclude that the proposal materially harms the pleasant open character and appearance of the street scene. As such it fails to make a positive contribution to the local area and is contrary to policy CS3 in the Stockton-on-Tees Core Strategy Development Plan Document (2010).
8. Planning permission should therefore be withheld and the appeal dismissed.

G Garnham

INSPECTOR