



Appeal Decision

Site visit made on 6 December 2011

by **D R Cullingford BA MPhil MRTPI**

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

Decision date: 9 December 2011

Appeal Ref: APP/H0738/D/11/2163916

4 Glenfield Close, Fairfield, Stockton-on-Tees, TS19 7PN

- 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 Mr Stuart Palfreeman against the decision of the Stockton-on-Tees Borough Council.
 - The application (ref: 11/2058/FUL and dated 17 July 2011) was refused by notice dated 27 September 2011.
 - The development is described as 'remove unstable wall and bushes and replace with close boarded fence, concrete posts and gravel boards'.
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Decision

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

Reasons

2. The appeal property is a suburban semi detached dwelling on a corner plot. I saw that a close boarded fence nearly 2m high and supported by concrete posts had been erected around part of the front and all of the side garden at No 4. The structure stands immediately adjacent to the pavement and replaces, as the submitted photos show, a low brick wall (a typical boundary treatment here) and a mature privet hedge. The Council have refused permission to retain the structure because they consider, due to its design and siting, that the fence forms an obtrusive feature detracting from the character and appearance of the street scene, contrary to policy CS3 of the Core Strategy. That is the issue on which this appeal turns.
3. Although this is not an 'open plan' estate, low brick walls form a common boundary treatment here, so that a verdant prospect across front gardens contributes to the pleasant suburban character of the place. The fence curtails such vistas and forms a bleak and confining presence hard against the pavement. As such I agree with the Council that it forms an obtrusive presence in the street; worse still, it is also incongruous. Although neighbours seem to support its retention, I am afraid that I consider that it clearly fails to make a positive contribution to the local area. On the contrary, it is all too evident that the repetition of such development elsewhere would radically alter the character of this estate enclosing dwellings behind dreary defensive palisades and confining the closes and culs-de-sac between blank blocking barriers. I consider that the retention of this fence would detract from the character and appearance of the street scene, contrary to the requirements of policy CS3.

4. I agree that other close boarded fences can be found on the estate, though I saw none in the immediate vicinity of the appeal property. A few that exist have the benefit of an historic planning permission and some unauthorised structures are now immune from enforcement action, but many (as the Council demonstrate) appear (pending further investigation) to have been erected without the benefit of any planning permission. They do not, therefore, condone the retention of similarly unsightly structures at the appeal property. Nor do I accept that the fence is required to provide adequate security. As the Council point out, the fence could be repositioned or a solution sought using a brick wall with railings, as has been achieved nearby. Hence, and in spite of considering all the other matters raised, I find nothing sufficiently compelling to alter my conclusion that this appeal should be dismissed.



INSPECTOR