
Appeal Decision

Site visit made on 16 February 2016

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 22 February 2016

Appeal Ref: APP/H0738/D/15/3138438

75 Harrowgate Lane, Stockton-on-Tees, Cleveland, England, TS19 8HF

- 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 Chris Pinkney against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 15/2095/RET dated 21 August 2015 was refused by notice dated 16 October 2015.
 - The development proposed is the erection of a 6ft fence to front/side of house.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, the fence had been erected. I have therefore considered this appeal as relating to an application for retrospective planning permission.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. The appeal site is a modern end of terrace property, which fronts on to Harrowgate Lane. The surrounding area in the vicinity of the site is characterised by similar properties albeit of varying ages. The low and open frontages and wide areas of grass verges alongside footways, gives the predominately residential area a green and spacious appearance.
 5. The fence is of a close-boarded timber construction of around 1.8m in height. It is positioned adjoining but inside the metal railings to the front of the site and encloses a garden area to the side of the appeal building but forward of the building line.
 6. Although the garden area to the front of the appeal building remains open, the fence blocks views of other areas of the garden to the front and side of the appeal site. The positioning of the close-boarded fence close to the footpath and its height at around 1.8m has introduced an incongruous feature in the streetscene and detracts from its open character.
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7. I therefore conclude that the development has an unacceptable adverse effect on the character and appearance of the area and is contrary to Policy CS3 of the Council's Core Strategy Development Plan Document, which requires, amongst other matters, for developments to make a positive contribution to the local area.
8. I appreciate, as the appellant has stated, that the fence is to provide a safe and secure play area, as the rear garden is sloping and there is a spiked metal fence on one of the boundaries. I also note the cost of erecting the fence and that it does not harm anyone's living conditions. Nevertheless, these factors do not justify the harm that has been caused to the character and appearance of the area.

Conclusion

9. For the reasons given above and having considered all other matters raised, including representations in favour and objecting to the development and the Council's previously expressed informal views on the acceptability of the fence, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR