
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: 23 February, 2016

Appeal Ref: APP/H0738/D/15/3139660

10 St. Johns Close, Stockton-on-Tees, TS18 2RY

- 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 Alexander Farnaby against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 15/1966/RET dated 4 August 2015 was refused by notice dated 10 November 2015.
 - The development proposed is described as a retrospective application for the erection of a 4 ft. high fence to front between neighbouring properties.
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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 dwelling is located on St. Johns Close, close to this cul-de-sac's entrance. At my site visit, I was able to see that the layout of the estate was clearly designed with mainly open gardens to the front of houses. Whilst I was able to see some fencing in the area, these were predominately of an open 'picket' type design. Many of the gardens contained shrub planting and other vegetation. All this combined results in the area having an open, spacious character.
 5. The appeal proposal has seen the erection of a closeboard fence with concrete posts of around 1.2m in height. The fence is located on the boundary between the appeal site and No. 12 St. Johns Close. Whilst the appellant states that the fence has generated positive comments from residents and visitors, I find it has a stark and alien appearance in the streetscene, which is at odds with the cul-de-sac's open plan character. Although some of the photographs illustrate taller
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fencing, I do not find these to be comparable because they have the appearance of being rear or side gardens in the street scene. The photographs also contain examples of boundary hedging but they have a softer appearance than fencing.

6. 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, development that makes a positive contribution to the local area.
7. I note the fence has replaced spiky bushes, which gave rise to a number of difficulties in maintenance. The removal of the wide bushes has also created space on the neighbours drive, allowing for ease of access into and out of the garage. Whilst these factors weigh in favour of the development, they do not justify the harm has been caused to the character and appearance of the area.
8. The appellant has suggested that the fence could be altered to create gaps, shortened or stained differently. I am however required to determine the appeal before me on its own merits.

Conclusion

9. For the reasons given above and having considered all other matters raised, including reference to the boundary treatment at other properties and that the appeal property's fence was professionally made, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR