



Appeal Decision

Site visit made on 15 May 2019

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2019

Appeal Ref: APP/H0738/D/19/3222148

67 Greens Valley Drive, Stockton on Tees TS18 5QH

- 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 Tom Leonard against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 18/2628/RET, dated 6 November 2018, was refused by notice dated 24 January 2019.
 - The development proposed is described as to erect a fence between myself and next door (69).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal is retrospective, with the development having been carried out. I have determined the appeal on that basis.

Main Issue

3. The main issues are the effect of the proposed development on the character and appearance of the surrounding area and on highway safety.

Reasons

Character and appearance

4. The appeal property is situated on a small cul-de-sac at the end of a quiet street. Residential properties are situated to the north side of the street with a wooded waterway to the south. The front gardens of properties facing onto the road are predominately open, the surrounding area is open and verdant in character.
5. The submitted plans show the fence projecting forwards from near to the front elevation of the appeal property up to the road way. I observed at my site visit that, in combination with some planting in various containers, the fence creates a clear demarcation line between the appeal property and the neighbouring property, 69 Greens Valley Drive.
6. The fence can be seen for some distance along the street when approaching the appeal property and in the absence of other notable fences or other boundary treatments to the front of properties on Greens Valley Drive, the fence is a prominent and incongruous feature.

7. As such, I find that the fence harms the character and appearance of the surrounding area, contrary to Policy CS3 of the Stockton on Tees Core Strategy Development Plan Document (2010) (the CS) in so far as it seek to protect and enhance the character of an area.

Highway safety

8. The Council Officer's report details that the fence reduces the visibility for and off vehicles existing and entering No.69 and as such is harmful to highway safety. Based on the evidence before me and my observations on site, I agree and while I acknowledge that very few vehicles will use this end of the cul-de-sac and those that do will likely be traveling at low speeds I nonetheless find that the fence would harm highway safety contrary to Policy CS3 of the CS in so far as it seeks that new development will make a positive contribution to the area.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

Mark Brooker

INSPECTOR