



Appeal Decision

Site visit made on 21 May 2019

by Jamie Reed DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2019

Appeal Ref: APP/H0738/D/19/3224615

90 The Glebe, Norton TS20 1RL

- 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 Miss Jill Moody against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 18/1718/RET, dated 23 July 2018, was refused by notice dated 24 January 2019.
 - The development is described as 'the works have already been completed and consists of a 4ft high x 6ft fence closest to the property and 3ft high for the remainder of the garden'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form uses imperial measurements; however, I have used the corresponding metric measurements in this decision.
3. It was clear from my site visit that the fencing that is the subject of this appeal had already been erected. I have therefore determined the appeal on the basis that the development has already occurred.

Main Issue

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

Reasons

5. The appeal property is a detached bungalow, situated in a predominantly residential area. A distinct characteristic of the surrounding area is its open plan nature, with the frontages of the vast majority of dwellings featuring front lawns, which are occasionally interspersed with low lying shrub cover. Such an arrangement results in long uninterrupted views, creating a spacious and open feel.
6. The fencing has been erected in the front garden of the appeal property, along the shared boundary with 92 The Glebe. Measuring about 1.2 m at its highest point closest to the front elevation of the appeal property, the fencing then steps down to about 0.9 m in height as it projects forwards, terminating at the back of the footpath.

7. Due to the open plan nature of the area, the fencing is visually prominent within the streetscene in this location, particularly when approaching the appeal site from the east. Given the lack of boundary treatments in the generously planted and verdant surroundings the widely visible fence is a visually intrusive and incongruous feature in an otherwise harmonious streetscene. Accordingly, I conclude that the fencing causes clear harm to the open character and appearance of the surrounding area.
8. Consequently, the fencing is contrary to Policy CS3 of the Stockton-on-Tees Core Strategy Development Plan Document (2010), which requires developments to make a positive contribution to the local area.

Other Matters

9. I have paid due regard to the personal circumstances of the appellant and can empathise with her reasoning for erecting the fencing. However, I consider the fencing is something that is not specifically required to meet any particular needs arising from the appellant's personal circumstances, and as such, only give these matters limited weight.
10. I appreciate that the fencing could deter people from trespassing across the garden of No 90. Be that as it may, this is essentially a private matter that has only a limited bearing on the planning merits of the appeal
11. Consequently, these matters do not alter my conclusions on the main issue set out above; nor do they outweigh the harm the fencing causes to the character and appearance of the area; nor do they justify a decision other than in accordance with the development plan, with which in terms of the above-cited policy the appeal scheme would clearly conflict.

Conclusion

12. For the reasons set out above, and having had regard to all other matters raised, I therefore conclude that the appeal is dismissed.

Jamie Reed

INSPECTOR