

## Appeal Decision

Site visit made on 1 July 2025

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 July 2025

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**Appeal Ref: APP/H0738/W/25/3363704**

**White House Farm, Bala Close, Ingleby Barwick, Stockton-on-Tees, Cleveland TS17 5AD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mrs Karen Kaur against the decision of Stockton-on-Tees Borough Council.
  - The application Ref is 24/1980/RET.
  - The appeal development is the erection of 1.9m high fence adjacent to public bridleway.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I observed at the site visit that a fence has been constructed at the appeal site. It is clear from the plans and evidence that this is the fence referenced in the planning application. I have dealt with the appeal on the basis that planning permission is being sought retrospectively for the construction of the fence.

### Main Issue

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

### Reasons

4. The appeal site comprises the boundary between a bridleway and open land that slopes down to the River Tees. It lies to the northern side of a small group of residential properties, including White House Farm, and to the west of a larger and more modern housing estate. A landscaped buffer strip is situated between the bridleway and the housing estate opposite the appeal site. The bridleway leads from the built-up housing estate to the much more rural and open setting in the area of the appeal site and beyond. Immediately north of the site there is a more open rural setting with views from the bridleway over agricultural land towards the river and beyond due to a lower post and rail boundary fence. This positively contributes to the local character and the overall experience for users of the bridleway. At the time of my visit, I observed the bridleway to be a well-used route.
5. The Council states that the site is within the green wedge, which is not disputed by the appellant. These play an important role in maintaining local character. Due to its position, substantial length, height and close boarded construction, the fence is a very prominent and visually intrusive structure adjacent to the bridleway. It appears as a dominating and stark feature that is significantly out of scale and character with its surroundings and creates a greater sense of enclosure in an

otherwise more open and rural setting. I do not find that the fence adversely effects the outlook of residents in properties closest to the appeal site due to the separation and intervening landscaping. However, there is significant harm to the character and appearance of the area and to the experience of users of the bridleway in the area of the appeal site.

6. I observed other similar fences towards the southern end of the bridleway, which is less open in character than the appeal site. These predominantly enclose land immediately adjacent to the residential properties in that area and I do not find that these would justify the identified harm from the appeal fence. Whilst there is a landscaped buffer opposite the fence, this does not reduce the more open character of the area close to the appeal site to any significant degree, and it contributes to the overall attractive rural setting in this location.
7. The fence has been painted a green colour, and the appellant has also suggested that landscaping could be undertaken to soften its impact. Whilst the colouring lessens the impact, and landscaping could mitigate the visual impact to some degree, given its height and significant length, I do not consider these measures would be sufficient to adequately mitigate the harm to the character and appearance of the area and make the scheme acceptable.
8. I conclude that the development is harmful to the character and appearance of the area. It therefore conflicts with Policies SD5, SD8 and ENV6 of the Stockton-on-Tees Borough Council Local Plan (2019). Amongst other things, these policies seek the conservation and enhancement of the environment, to ensure proposals adhere to sustainable design principles and will be designed to the highest possible standard taking into account the context of the surrounding area, and that development within green wedges would not adversely impact on local character.

### **Other Matters**

9. I note the appellant's aims for erecting the fence, which are stated to relate to issues of antisocial behaviour and trespass. Whilst photographs have been provided indicating graffiti on the fence prior to it being painted green, I have not been provided with evidence of antisocial behaviour or trespass prior to its construction. It has not been adequately demonstrated that this development is the only way to achieve the appellant's objectives. In any event, the reasons provided for erecting the fence do not justify the harm I have identified.
10. Where the development has been found to be acceptable by the Council in other respects, for example in terms of not directly affecting the route of the bridleway and highway safety, these are neutral matters and do not weigh in favour of the development.

### **Conclusion**

11. The development conflicts with the development plan as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

*N Armstrong*

INSPECTOR