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## Appeal Decision

Site visit made on 2 December 2025

by **A.Graham BA(hons) MAued IHBC**

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

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**Appeal Ref: APP/H0738/D/25/3374842**

**1 Butterfield Drive, Eaglescliffe, Stockton on Tees TS16 0EL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Ms Thanh Hoai Le against the decision of Stockton on Tees Borough Council.
  - The application Ref is 25/1162/FUL.
  - The application is for erection for 1.8m high fence to the side.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The description as used by the Council differs from that used on the appellant's original application form. As such I have used this description as it better reflects the proposed changes before me.

### Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the area.

### Reasons

4. The appeal property is a detached suburban style bungalow within this residential area of similarly aged properties. The existing building is of red brick and render and occupies a prominent corner plot on approach into the wider residential estate from an area of retail nearby. It appears that recent modifications have been undertaken to create a run of bi-fold type doors to the side elevation that fronts onto the side corner garden. To the rear there is a high plastic type fence and shed and to the front of the property there is an area of extensive hardstanding for the accommodation of up to around four vehicles.
5. The current boundary of the property sports a low brick wall that runs around much of the side garden. Behind this has been planted a row of Laurel type hedging. The proposal before me seeks permission to extend a close boarded timber fence around this side boundary that would run behind the hedge and extend up to around 1.8m in height. The justification for this is to improve security and presumably privacy of the side living area bi-fold windows.
6. In assessing this appeal, I am aware of the Council's policy SD8 of the Stockton on Tees Borough Council Local Plan 2019 (LP) that seeks to ensure new development

is of the highest possible standard and that takes into consideration the context of the surrounding area and the need to respond in a positive manner to the character of an area. In this respect it reflects the National Planning Policy Framework (The Framework) in emphasising the importance of good urban design.

7. As mentioned above this area is of a largely suburban character which typically manifests itself as open plan front and side gardens with properties set well within such spaces. Although there has been some erosion of gardens and although the more commercial area around the shops is of a different character to this site, nevertheless these characteristics are important to preserve or, where possible, to enhance.
8. The site is visible on arrival from the main road and the nearby shops, and in this respect it is typical for such a corner plot with its garden and side elevation being somewhat exposed. I would not expect privacy to generally be an issue to such properties as only secondary windows face onto such a space ordinarily. In this case however the side garden is obviously more in use as a private space thereby making the need for privacy more important.
9. The intention appears to be to allow a laurel hedge to grow around this garden. In the meantime, however, in order to secure the plot and give immediate privacy, the appellant's wish to construct a higher timber fence behind the hedge. The issue here is that such a fence would introduce a much higher and harder boundary to this prominent corner even with the hedge before it. It would, moreover, not take into account the potential loss of hedging in certain areas as time went on which would leave the fence exposed.
10. As such, despite the hedging and set back from the boundary I consider it highly likely that the fence would be visible for some considerable time and as such a harmful enclosure, that goes against the character of the area, would occur. This would therefore result in an enclosure of the street here upon this prominent corner that would be inconsistent with the overriding character of the area.
11. Ultimately, although there are ways to enhance and secure this boundary, perhaps through an extended brick wall with hedge above, the proposal before would not be of a high enough quality to respect the character and appearance of the area and it would represent a hard form of enclosure that would be alien in this context.
12. As a result, the proposal would cause harm to the character and appearance of the area and the proposal before me would be in conflict with Policy SD8 and SD3 of the Local Plan as well as the aspiration for good design contained within the Framework.

### **Conclusion**

13. The proposal would cause harm to the character and appearance of the area and, for the reasons given above, whilst taking into account all other matters raised, I must dismiss this appeal.

*A Graham*

INSPECTOR