
Appeal Decision

Site visit made on 17 October 2017

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th October 2017

Appeal Ref: APP/W0734/D/17/3179851

59 Stokesley Road, Marton-in-Cleveland, Middlesbrough TS7 8DT.

- 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 Lewis Tuttle against the decision of Middlesbrough Borough Council.
 - The application Ref: 16/5446/FUL, dated 23 December 2016, was refused by notice dated 28 April 2017.
 - The development proposed is a front and side boundary wall, and gates.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on the character and appearance of the street scene in this locality.

Reasons

3. Stokesley Road is a busy road in the urban area of Teesside providing access towards the centre of Middlesbrough. It is flanked by residential, commercial and community buildings in this locality. The western side of the road is principally residential, whereas the eastern side has a local shopping centre and school premises nearby.
4. Within the residential area the front boundaries are formed by a variety of means, including low walls, low walls backed by shrubs, low walls with railings above, and some fencing. Some properties have gates, some do not. What is noticeable are 2 particular characteristics. First, individual properties, with the exception of the appeal site, do not have solid front boundaries of significant height. Any height is almost always associated with shrubs and hedges (there is a fence between wall pillars nearby as an exception to this pattern but it is of modest height). The second characteristic is that the cumulative effect of the front boundaries on the western part of the road provides a pleasant and soft edge to the highway because of the extent of vegetation present.
5. This soft edge to the residential development is an attractive feature which counters the harder urban character on the eastern side of the road. The loss of the soft edge would be detrimental.

6. The development here (which has been carried out) introduces an uncharacteristically tall and solid structure which is at odds with its neighbours. The bulk, scale and mass of the wall and gates add a fortress like element into the street. In my judgement this results in an unattractive and incongruous element within the public realm which is harmful to its character and appearance. Amongst other matters Policy CS5 of the adopted Core Strategy requires that development meets high design standards which integrate well with its surroundings, whilst Policy DC1 requires high quality in terms of scale and design. The policies follow the advice of the National Planning Policy Framework and in my judgement the development is in conflict with these policies of the development plan.
7. I understand the Appellant's desire for a boundary which is secure, offers privacy, gives some protection from noise pollution, and prevents trespass or littering of the appeal premises. However I am not persuaded that the development as built would provide the only answer to these matters.
8. Taken in the round I find that the wall has an unacceptably harmful impact on the character and appearance of the street scene and is in conflict with the development plan. The other matters brought to my attention do not outweigh this harm.
9. For the reasons given above I conclude that the appeal should be dismissed.

Philip Major

INSPECTOR