The Planning Inspectorate

Appeal Decision

Site visit made on 7 October 2019 by S Witherley BA, PGDiP, PGDiP, Cert CIH, Assoc RTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2019

Appeal Ref: APP/H0738/D/19/3232772
10 Kingsdale Close, Yarm, TS15 9UQ

- 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 Mark Forbes against the decision of Stockton-on-Tees Borough Council.
- The application, Ref 19/0574/FPD, dated 13 March 2019, was refused by notice 9 May 2019.
- The development proposed as described on the application form is: one metre high fence (wooden) along front garden boundary.

Decision

1. The appeal is allowed and planning permission is granted for the one metre high fence (wooden) along the front garden boundary, at 10 Kingsdale Close, Yarm, TS15 9UQ, in accordance with the terms of the application, Ref 19/0574/FPD, dated 13 March 2019, subject to the following conditions:

    1) the development hereby permitted shall begin not later than three years from the date of this decision.

    2) the development hereby permitted shall be carried out in accordance with the approved plans; location plan SBC0001, location of fence SBC0002, fence details SBC0003, proposed fence SBC0004.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

4. No. 10 is a detached dwelling located in an open plan residential estate. The proposal seeks to erect a 1 metre fence along the shared boundary with No. 8 at the front of the property. Whilst the general character of the estate has a reasonable level of openness, there are several examples of boundary treatments abutting the footpath throughout the estate which enclose the corresponding front garden. The fence would be sited at the front of the property along the side boundary. As such it would not enclose the front garden entirely thus retaining its visual openness. Given the length, height and siting, it would not appear obtrusive or incongruous within the streetscape.

5. In addition to the standard time limit condition, a condition listing the approved plans would ensure the development is carried out in accordance with the approved plan.

Subject to these conditions, I find that the proposed fence would not erode the openness of the estate nor result in a significant or harmful visual change to the character and appearance of the area. As such the proposal accords with Policy SD8 of the Stockton-on-Tees Borough Council Local Plan (2019).

Conclusion and Recommendation

6. For the reasons given above and having had regard to all other matters raised, it is recommended that the appeal should be allowed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

7. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I conclude that the appeal should be allowed subject to the conditions above.

A U Ghafoor

INSPECTOR