

# Appeal Decision

Site visit made on 28 January 2020

**by Graeme Robbie BA(Hons) BPI MRTPI**

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

**Decision date: 11 February 2020**

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**Appeal Ref: APP/H0738/D/19/3240789**

**47 Sacriston Close, Billingham, Stockton TS23 2TE**

- 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 Brian Small against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 19/1688/RET, dated 5 August 2019, was refused by notice dated 30 September 2019.
  - The development proposed is proposed wall to front.
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## Decision

1. The appeal is allowed and planning permission is granted for a wall to front at 47 Sacriston Close, Billingham, Stockton TS23 2TE in accordance with the terms of the application, Ref 19/1688/RET, dated 5 August 2019, and the plans submitted with it which, for the avoidance of doubt and to provide certainty, are those labelled Drwg Nos: SBC0001; SBC0002 and SBC0003.

## Procedural Matters

2. I have amended the development description in my decision to reflect the wall being in situ at the time of my visit to the site. This is a minor amendment and neither party would be disadvantaged by this change.

## Main Issue

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

## Reasons

4. Policy SD8 of the Stockton-on-Tees Local Plan (LP) sets out the Council's approach to new development and which seeks it to be designed to the highest possible standard, taking into consideration the context of the surrounding area. Proposals will be expected to respond positively to, amongst other factors, the landscape character of the area including the contribution made by existing trees and landscaping and the need to reinforce local distinctiveness.
5. Sacriston Close is a modest residential cul-de-sac comprising of a mix of detached bungalows and two storey houses. Although property frontages are largely open plan, or at least largely devoid of built structures, the street is built on sloping ground and so retaining walls between differing driveway and front garden levels are not uncommon. Those that are present are generally of a limited height. Most, but not all, run between garden plots and are only perpendicular to the roadside. The appeal scheme encloses the small garden

- area at the front of No. 47 with a low wall which runs around the front and sides of this small area.
6. The appeal site lies at a reasonably prominent position within Sacriston Close. On entry into the street, it lies at the head of the road where it splits in two to the east and west. From either of these spurs, the wall and the small area enclosed by it, are visible in longer views along the street, the relative prominence of the location emphasised by the sweep of the road at this point.
  7. However, as noted above, low retaining walls are not uncommon within Sacriston Close. There is a distinct difference in ground levels between the front of No. 47 and the sloping driveway of No. 49 and so the stepped form of the wall between Nos. 47 and 49 follows the slope of the driveway. From this aspect, I find the wall to be neither exceptional nor obtrusive.
  8. On approach from the entrance into Sacriston Close, the low wall is approached head-on. Although the pillars on each corner are taller than the length of wall in between, the heights are limited and overall the wall has a low-key visual presence, its visual impact and significance diminished by its proximity to the gable elevation of the bungalow and the extent of the gable's brickwork below the bungalow's front windows.
  9. Although it is fair to say that Sacriston Close retains a broadly open aspect characterised by small open-plan garden frontages, the contribution that the appeal property makes to this is limited by its very small front garden area and its proximity to the street. The wall is low, its projection from the bungalow's gable elevation into the garden frontage limited due to the restricted depth of this front area and it would fulfil a role as a retaining wall to the driveway on higher ground at No. 49.
  10. The proposal would not, in my judgement, materially compromise the prevailing open character or aspect of Sacriston Close, either upon entry from the north, or in views along it towards the appeal property from either spur to the east or west. I do not therefore share the Council's view that the proposal would lead to an unacceptable loss of visual amenity for the surrounding area. As a consequence, there is no conflict with LP policy SD8 or the aims of the National Planning Policy Framework which seek to secure high quality design that respects and responds to the character of the surrounding area.

### **Conditions**

11. The application has been submitted retrospectively and the wall is in place. The Council have not suggested any conditions, nor do I consider there to be any need to impose any conditions. In the interests of certainty I have referred specifically to the drawings to which this decision relates.

### **Conclusion**

12. For the reasons I have set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

*Graeme Robbie*

INSPECTOR