The Planning Inspectorate

Appeal Decision

Site Visit made on 19 February 2021

by Chris Baxter BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 March 2021

Appeal Ref: APP/H0724/D/20/3263326
96 Bilsdale Road, Hartlepool TS25 2AH

- 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 Peter Hegerty against the decision of Hartlepool Borough Council.
- The application Ref H/2020/0194, dated 5 June 2020, was refused by notice dated 6 November 2020.
- The development proposed is erection of a single storey extension to side and rear, demolition of existing garage, replacement and relocation of existing fence (west) and render of full property.

Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey extension to side and rear, demolition of existing garage, replacement and relocation of existing fence (west) and render of full property at 96 Bilsdale Road, Hartlepool TS25 2AH in accordance with the terms of the application, Ref H/2020/0194, dated 5 June 2020, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 20/96BIL/001; 20/96BIL/002 B; 20/96BIL/003 B; 20/96BIL/004.

    3) No above ground development shall commence until details of the external finishes of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Preliminary Matters

2. The proposal includes the erection of a single storey extension to side and rear, demolition of existing garage and render of full property. The Council have not raised any objections to these parts of the proposal and they do not form part of the decision notice refusal reasons. I have therefore assessed this appeal only on the replacement and relocation of existing fence (west).

Main Issue

3. The main issue is the effect of the replacement and relocation of existing fence (west) on the character and appearance of the surrounding area.

Reasons

4. The surrounding area is characterised predominantly by residential properties of variant styles with landscaped open plan front gardens. It is this open and landscaped appearance set within the built form which positively contributes to the character of the area.

5. The proposed relocation of the fence would maintain a substantially proportioned landscape strip of land between the fence and the existing footpath that would retain the open plan feel of the residential estate. The proposed fence would not encroach into the front garden and on approaches to the appeal site the relocated fencing would not appear as an intrusive feature.

6. The appeal site is located on a prominent corner plot however, due to the size and positioning of the proposed fence, it would not interrupt the flow and openness of the estate nor would it disrupt the visual continuity of the area. The proposed fencing would not be a dominant structure and would not diminish the landscaped and open character of the residential estate.

7. My attention has been brought to a number of sites in the area which have had boundary treatment erected. The Council have indicated that some of these have historic planning permission whilst others do not have formal permission. These boundary treatments do not alter my findings above and in any case, I have determined this appeal on its own merits.

8. Accordingly, the proposed replacement and relocation of the existing fence would not have a harmful effect on the character and appearance of the surrounding area. The proposal would be in accordance with Policies QP4 and HSG11 of the Hartlepool Local Plan 2018 and the National Planning Policy Framework which seeks proposals to not adversely affect the character of surrounding residential area and respect the surrounding environment.

Conditions

9. Conditions relating to timeliness and the identification of plans are necessary in the interests of proper planning and to provide certainty. The Council in their Officer report referred to details of render and in the interests of the character and appearance of the area it is necessary that details of render and all other external finishes are agreed.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR