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## Appeal Decision

Site visit made on 20 May 2026

**by F P Tinsley MA (Hons) MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7<sup>th</sup> July 2026

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### **Appeal Ref: 6004410**

### **1-22 Mariners Cottages, South Shields, NE33 2NG**

- 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 Derek West against the decision of South Tyneside Council.
  - The application reference is: 250555.
  - The development proposed is 'installation/ replacement fencing'.
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### **Decision**

1. The appeal is dismissed.

### **Preliminary Matters**

2. The appeal relates to a planning application which seeks planning permission for installation of fencing to the front of no 1-22 Mariners Cottages. When I undertook my site visit fencing had already been installed to the front of some of the cottages. I have assessed the proposal based on the submitted plans.

### **Main Issue**

3. The main issue is the effect of the proposal on the character and appearance of the area, including Nos. 1–22 Mariners Cottages and the Boundary Wall to Nos. 1–22 (consecutive) fronting Broughton Road, all of which are Grade II listed buildings as a result of development in their setting, as well as the character and appearance of the Mariners' Cottages Conservation Area.

### **Reasons**

4. The proposed installation would be located to the front of 1–22 Mariners Cottages, a group of Grade II listed buildings. The significance of this designated heritage asset is derived from the cottages being a remarkably intact group of early Victorian almshouses, illustrating the wealth of, and respect afforded to, the seafaring community which has played a significant role in shaping the history and character of South Shields. During my site visit, I observed the cottages to form an attractive terrace, the appreciation of which is enhanced by the generally open character of the grounds to the front. These grounds are enclosed by the boundary wall serving Nos. 1–22 Mariners Cottages fronting Broughton Road. The significance of this heritage asset is derived from its integral role in defining and enclosing the communal garden courtyard to the front of the cottages, thereby contributing positively to the setting, character and significance of the other listed buildings.

5. The site also lies within the Mariners Cottages Conservation Area. I observed that the significance of this designated heritage asset is derived from its clear definition of the historic enclave formed by Mariners Cottages, which stands in marked contrast to the more regular pattern of predominantly residential terraced development that subsequently grew up around it. The conservation area preserves the distinctive character of this historic group, allowing the unique form, layout and communal setting of the cottages to be readily appreciated within the wider urban context of South Shields.
6. The installed and proposed fencing introduces hard delineation between the garden spaces to the front of the cottages and between stretches of the internal footpath and communal front garden area. There is a sense of spaciousness and communality to the location which the appeal scheme degrades. The continuous composition of the cottages as originally constructed is somewhat fragmented.
7. It has been put to me that the proposal accords with Historic England Advice Note 326, Historic Almshouses: A Guide to Managing Change, by striking an appropriate balance between conserving the historic significance of the almshouses and supporting their continued residential use. It is argued that the proposed works represent modest interventions that would support residents' privacy, security and independence, and that these benefits are integral to sustaining the historic function of the almshouses and should therefore be regarded as heritage benefits rather than competing considerations.
8. Whilst I acknowledge that the proposal would create more clearly defined private space to the front of each cottage, I am not satisfied, on the basis of the evidence before me, that there is a demonstrable need for additional privacy or that the development would materially enhance security, particularly given that the front of the garden areas would remain open and accessible from the adjoining footpath.
9. Whilst the Mariners' Cottages Conservation Area Character Assessment (CACA) explicitly acknowledges the presence of ad hoc hedging and personalised garden treatments, and identifies opportunities to enhance the area through the restoration of a more unified approach to the treatment of garden boundaries, it does not suggest that the introduction of fencing would be an appropriate means of achieving this objective. Furthermore, the proposed fencing would create more clearly defined and personalised spaces in front of the cottages, which would be at odds with the character of the courtyard as described in the CACA. The assessment notes that the courtyard was laid out and is experienced as a communal space, with residents generally tending only small, personalised areas immediately in front of their cottages. The proposal moves away from this towards what would be more formal individual compartmentalised gardens serving each cottage. The original arrangement allows for wider, open views across the grassed courtyard, both from within and from outside the space which would be degraded. By further personalising the areas in front of the cottages, the proposal has the potential to encourage additional alterations, such as further planting and installation of planters and garden furniture etc, which could incrementally further erode the original uniform and open character of the almshouses. It was evident on my site visit that this was occurring where fences had previously been installed.
10. My attention has been drawn to photographs of the front garden areas which show forms of ad hoc fencing in place, it is claimed, since at least 1982. This is supported by statements from residents included within the appeal documentation.

However, the fencing shown appears informal and inconsistent in both design and arrangement. As such, it detracts from the character and appearance of the area and, in itself, does not provide a compelling justification for the proposal before me.

11. My attention has also been drawn to the fact that planting is, and could continue to be, used as a means of defining the spaces in front of the cottages, producing a similar effect to that of the proposed fencing, and that there would be limited control over such planting. However, this does not, in my view, justify the proposal. The development would introduce a permanent and formal feature into the street scene, and the regularisation of what is described as a long-established pattern of garden subdivision in the manor proposed does not amount to a positive benefit in this context. In this regard, the CACA identifies the protection of gardens from incremental alterations as a key objective. The proposal would not assist in achieving that objective.
12. Policy CA-MC1 of the Mariners Cottages Conservation Area Management Plan SPD states that new development within the conservation area will be resisted. Whilst such an approach may reasonably be regarded as inconsistent with national planning policy, which requires a balanced and proportionate assessment of the significance of heritage assets, the degree of harm arising from a proposal, and any associated public benefits, the policy nevertheless clearly expresses an intention to resist development that would undermine the established form, layout and spatial character of the almshouses and their associated grounds. In that respect, it reflects a legitimate and justified objective of conserving the character and appearance of the conservation area. Accordingly, whilst the policy cannot be applied as a blanket presumption against development, it remains capable of attracting weight insofar as it seeks to preserve the historic spatial arrangement, communal character and openness that contribute positively to the significance of the Mariners Cottages Conservation Area.
13. I conclude that the proposal would cause harm to the character and appearance of the area, including the setting of Nos. 1–22 Mariners Cottages, a group of Grade II listed buildings, the boundary wall to Nos. 1–22 (consecutive) fronting Broughton Road, and the Mariners Cottages Conservation Area. Consequently, the proposal conflicts with Policies DM1, DM6, SC1 and EA1 of the South Tyneside Local Development Framework and Policy CA-MC1 of Supplementary Planning Document 20: Mariners' Cottages Conservation Area Management Plan, insofar as these policies seek to ensure that development preserves or enhances the character and appearance of the area and safeguards the significance, character and setting of heritage assets.
14. The proposal would also be contrary to the objectives of the Framework, the Planning Practice Guidance (PPG), and Historic England guidance, including Historic Almshouses – A Guide to Managing Change (HEAG326, April 2025) and Historic England Good Practice Advice in Planning Note 3: The Setting of Heritage Assets. I note that the reason for refusal refers to HEAG180 (March 2015); however, this guidance has since been superseded by Good Practice Advice in Planning Note 3, and my conclusions have been reached having regard to the current guidance.
15. In causing harm to the setting of the listed buildings and failing to preserve the character and appearance of the conservation area, I find that the proposal would

result in less than substantial harm to designated heritage assets. In accordance with paragraph 215 of the National Planning Policy Framework, I have weighed this harm against the public benefits of the proposal which are limited in extent and do not outweigh the identified harm to the significance of the heritage assets. Consequently, the proposal fails to achieve the balanced outcome sought by national planning policy.

### **Other Matters**

16. The proposal would provide some benefits to the occupiers of the cottages through increased privacy and a greater sense of defensible space when using the outdoor areas. However, I do not regard the improved delineation of private and communal space as a significant benefit in the context of the original design and historic function of the almshouses, which were intended to be experienced within a predominantly communal setting. Nor has it been adequately demonstrated that the proposal would support continued independent living in a manner consistent with the historic social purpose of the almshouses. I have also considered the support expressed for the proposal by residents of the cottages. Nevertheless, when considered collectively, these essentially personal benefits to residents are not sufficient to outweigh the harm I have identified to the significance of the designated heritage assets.

### **Conclusion**

17. For the reasons given above I conclude that the appeal should be dismissed.

*F P Tinsley*  
INSPECTOR