

Appeal Decision

Site visit made on 5 December 2016

by Anne Jordan BA (Hons) MRTPI

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

Decision date: 12th December 2016

Appeal Ref: APP/H4505/D/16/3157671

1 Dene Close, Ryton, NE40 3RZ

- 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 Philip Scott against the decision of Gateshead Council.
 - The application Ref DC/16/00505/HHA, dated 4 May 2016, was refused by notice dated 14 June 2016.
 - The development proposed is erection of a garden fence.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of a garden fence at 1 Dene Close, Ryton, NE40 3RZ in accordance with application Ref DC/16/00505/HHA, dated 4 May 2016 and the plans submitted with it.

Procedural Matters

2. The works have already taken place on site and the application is therefore made retrospectively. The Council altered the description of development to the one given above. As this more succinctly describes the development I have also used this description.

Main Issue

3. The main issue for the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a residential bungalow which sits in a modern estate of similar properties. Dwellings typically have open frontages and are set well back from the road in established gardens. Boundary treatments are generally low, and allow good visibility between plots, with some variety in the appearance of garden frontages.
 5. The appeal property sits at the end of Dene Close, with a side boundary which abuts Dene Crescent. The appeal relates to the erection of a close boarded fence along the side boundary which returns a short distance to meet the side wall of the bungalow. The front garden remains open and is laid to lawn. The fence appears to measure around 1.8 m in height and has been painted dark brown. As it sits close to the edge of the pavement, and forward of the fence at the adjoining 30 Dene Crescent, it is visible in views along the road from the west and is also visible in views from immediately opposite. In views from the east only the return stretch of fence is visible behind the open lawn and so it is
-

barely notable. It does not appear excessively high for a domestic setting, and although it is taller than that the fence to the neighbouring property, it occupies a relatively short stretch of boundary. It is also painted in a recessive colour which reduces its prominence. As such, due to its limited length it does not form an intrusive feature in the residential streetscene.

6. I therefore conclude that the development does not cause harm to the character and appearance of the wider locality and I see no conflict with the provisions of Policy CS15 of the *Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne* or with Saved Policy ENV3 of the *Gateshead Unitary Development Plan* which together require new development to make a positive contribution to the character of the local environment, or with guidance contained with the *National Planning Policy Framework* which has similar aims.
7. I take account of residents concerns, that the estate is largely open plan in character and that the enclosure of the space would cause an undesirable precedent. I noted during my visit that although fencing was not a common feature on the estate, some short stretches of fence were in use elsewhere and did not appear out of place. I also have no substantive evidence before me of any instances where such works would be likely to occur and so cannot conclude that the proposal would lead to increased pressure for other similar developments. In any case, such cases, if they did arise, would be subject to planning control which the Council could consider on their own merits.
8. I also note residents' concerns in relation to highway safety, particularly with regard to the location of the side gate. However, I noted on site that the gate opened inward, and so its normal use was unlikely to cause a danger to pedestrians.

Conclusion

9. For the reasons outlined above, and having regard to all other matter raised, I conclude that the appeal should be allowed. As the development is already in place on site I do not consider that any conditions are necessary.

Anne Jordan

INSPECTOR