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## Appeal Decision

Site visit made on 9 June 2020

**by Diane Cragg DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15 June 2020**

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**Appeal Ref: APP/M4510/D/20/3245664**

**64 Wheatfield Road, Westerhope, Newcastle upon Tyne NE5 5JX**

- 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 Roy Wilson against the decision of Newcastle City Council.
  - The application Ref 2019/1413/01/DET, dated 21 October 2019, was refused by notice dated 16 December 2019.
  - The development proposed is addition to the boundary treatments confirmed as lawful in 2019/1136/01/LDC. Raise the height of the boundary adjoining the road to 1500mm such that the height of the boundary is consistent throughout development.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. I have taken the description in the banner heading from the application form. I saw at my site visit that the boundary detail the subject of a successful Lawful development certificate (LDC)<sup>1</sup> has not been constructed at the site. I have considered the boundary treatment as shown on the appeal drawings on its own merits. The fallback position referred to by the parties is discussed in my reasoning below.

### Main Issue

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

### Reasons

4. The appeal site is a detached two storey house within a modern estate. The appeal property is part of a row of similarly designed houses, set on a relatively consistent building line with narrow spaces between properties. The appeal property has an integral garage and, to the front, has an area of grass and a driveway adjacent to the road. The estate appears to have been designed with open frontages, however, I observed at my site visit that many properties have delineated their front boundaries in a variety of ways, mainly through the planting of hedges, trees and border planting. Consequently, the mostly

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<sup>1</sup> 2019/1136/01/LDC dated 3 October 2019

continuous built frontage of the properties adjacent to the appeal site is balanced with the grassed areas and landscaping to the front of properties. The landscaping and grassed areas will continue to mature and provide an attractive street frontage to the estate and a pleasant residential environment.

5. The proposed front boundary wall with gates and railings, taken together with the proposed side boundary treatment, would be a prominent feature within the street scene. The combined height and design of the wall, gated entrance and railings would dominate the frontage. The boundary treatment would be markedly at odds with the otherwise landscaped and open frontages. Overall, the design and prominence of the proposal would form an obtrusive and incongruous feature in the street scene that would be at odds with the area's prevailing character
6. During my site visit I noted that there were a number of higher walls with fencing panels between brick pillars located at the back edge of the footpath within the estate. However, these have been used where properties have rear gardens next to the public road to provide privacy. These boundary details do not set a precedent for the design of front boundary treatment. The use of railings to some front boundaries is also noted. These railings are more permeable and do not justify the proposed development.
7. I appreciate that the appellant has secured an LDC which provides confirmation that boundary walling with gates up to 'permitted development' (PD) limits can be constructed to the front and side boundaries of the property. I reviewed this fallback position at my site visit. However, I consider that the proposal to provide additional height to the boundary treatment would result in markedly greater enclosure of the frontage accentuating the incongruous design of the boundary treatment in its context. I therefore do not consider that the prospect that another scheme would be implemented to enclose the front of the appeal property would justify the harm caused by the proposal.
8. I also appreciate that the Council could have removed PD rights when granting permission for the development of the estate and that railings were originally proposed along the frontage of the property. However, this does not alter my conclusions in relation to the development before me.
9. I note that the appellant's concern about activity within the street and security of the site, but I do not consider that these concerns justify the harm I have identified.
10. Overall, I conclude that the proposal would detract from the character and appearance of the area and would conflict with Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 adopted March 2015 and Policies H2 and EN1.1 of the Unitary Development Plan January 1998 which collectively seek high quality design. The development would also conflict with the National Planning Policy Framework in this respect.
11. Given the advanced stage of the Submission Development and Allocations Plan I attach moderate weight to the policies within this document and I find that the development conflicts with Policy DM 20 of the emerging plan which similarly seeks to ensure development delivers high quality design.

**Conclusion**

12. For the reasons given above, the appeal is dismissed.

*Diane Cragg*

INSPECTOR