



Appeal Decision

Site Visit made on 9 March 2021 by S Witherley CIHCM MRTPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2021

Appeal Ref: APP/A4520/D/20/3264497

4 Woodside Drive, Boldon Colliery, NE35 9BP

- 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 Ms Sophie O'Brien against the decision of South Tyneside Council.
 - The application Ref ST/0570/20/HFUL, dated 21 August 2020, was refused by notice dated 27 October 2020.
 - The development is the erection of a close boarded fence.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The fence was in situ at the time of the site visit.

Main Issue

4. The effect of the fence on the character and appearance of the area.

Reasons for the Recommendation

5. No. 4 is a detached dwelling located in a residential estate. The dwelling is sited in such a way that its side garden runs alongside the front gardens of properties to the rear. These have their front elevations overlooking a public foot path and the front elevations of properties opposite. The lack of vehicle access to the side of No. 4 and to these neighbouring properties, along with the open front boundaries, allows for open views across the front garden areas and enables longer views between Woodside Drive and Donside Close. This creates a sense of openness and spaciousness in the street scene that contributes positively to the character and appearance of this part of the estate.
6. The close boarded timber fence has been erected along part of the front, side and rear boundary. As a result of its height and design, particularly when looking at the front and side aspects, it appears as a dominant and incongruous feature and introduces a sense of enclosure into the street scene. Its prominent location draws the eye and appears visually obtrusive detracting from the area's open and spacious character and appearance.

7. I noticed that planting has occurred around the fence and whilst this type of boundary treatment in itself generally provides a softer appearance than a solid timber fence, the fence remains the dominant and visually prominent feature within the street scape.
8. The appellant states that parked vehicles limit the openness of the area, however, they do not materially affect the openness or attractiveness of the area, particularly given their transient nature. Any perceived benefits of the fence screening these vehicles would not therefore be advantageous.
9. For these reasons the fence has an unacceptable effect on the character and appearance of the street scene and accordingly does not comply with Policy DM1 (A) of the South Tyneside Local Development Framework Development Management Policies (2011) which seeks that development is sensitive to its surroundings and where possible enhances the area.

Other Matters

10. The appellant notes that the neighbour at No. 6 did not object to the fence, however, the lack of objections from this neighbour is not a consideration that outweighs the harm caused by the development.
11. Whilst reference and photographs of other boundary treatments throughout the wider estate have been provided, no specific details regarding the location of these have been submitted. Consequently, I cannot be certain that they are comparable to the appeal before me. Whilst I did observe other forms of boundary treatments in the area none appeared as close to as many front open gardens as the development is.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, it is recommended that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR