



Appeal Decision

Site Visit made on 24 August 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2021

Appeal Ref: APP/W4515/D/21/3279046

30 Stable Close, Moorfields, Killingworth, Newcastle upon Tyne NE12 7BJ

- 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 Simon Williams against the decision of North Tyneside Council.
 - The application Ref 20/01396/FULH, dated 24 September 2020, was refused by notice dated 22 April 2021.
 - The development proposed is proposed 1.8m high timber fence to side garden.
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Decision

1. The appeal is allowed and planning permission is granted for proposed 1.8m high timber fence to side garden at 30 Stable Close, Moorfields, Killingworth, Newcastle upon Tyne NE12 7BJ in accordance with the terms of the application, Ref 20/01396/FULH, dated 24 September 2020 and the plans submitted with it.

Preliminary Matters

2. I saw at the site visit that the fence has already been erected, therefore consent is sought retrospectively and I have determined the appeal on this basis.
3. The appeal site already has an extensive planning history, but this appeal only concerns proposals for the 1.8m high timber fence to the side of the property.

Main Issue

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

Reasons

5. The appeal site consists of a new build property in an attractive new housing estate. The property is located adjacent to a junction and the orientation of the property is such that the fence to the side of the property is clearly visible from the road and other public spaces.
6. I note that the submitted plans show that the old fence was not inline with the side elevation of the dwelling and already projected out towards the road. Therefore, a principal effect of the appeal scheme is to increase this projection towards the adjacent road.
7. I saw at the site visit that the appeal scheme is viewed within the context of the boundary treatments of neighbouring properties that form the streetscene

in this part of the new estate, including the use of some prominent fencing opposite the appeal property.

8. The appeal scheme retains an element of planting between the fence and footpath, softening the appearance of the fence and retaining an, albeit small, buffer space to the public realm. Furthermore, planting to the front of the fence, to the side of the property, effectively softens the otherwise blunt appearance of the fence such that the appeal scheme does not appear as a prominent or incongruous feature when viewed from both short and longer distance views.
9. I have not been provided with all the details of the previously approved¹ side extension to the property. I understand that should it be constructed, much of the boundary treatment subject of this appeal would have to be removed and that the side extension would screen the remaining fence from the front. To the rear, the space available for compensatory landscaping would be reduced but based on the evidence before me I am satisfied that some space would remain for some albeit limited planting.
10. For the reasons detailed above I find that the appeal scheme would not harm the character and appearance of the area and is therefore not contrary to Policies S1.4, DM6.1 and DM6.2 of the North Tyneside Local Plan, the Design Quality Supplementary Planning Document (SPD) (2018) that amongst other matters seeks that new development has a positive relationship to existing buildings and spaces.

Conclusion

11. For the reasons given I conclude that the appeal should succeed.

Mr M Brooker

INSPECTOR

¹ 20/00742/FULH