



Appeal Decision

Site visit made on 10 January 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 January 2023

Appeal Ref: APP/X1355/D/22/3299457

9 Langley Road, Newton Hall DH1 5LR

- 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 Abdel Ennaceur against the decision of Durham County Council.
 - The application Ref DM/22/00183/FPA, dated 22 January 2022, was refused by notice dated 22 March 2022.
 - The development proposed is erection of a fence (80 cm height) extending the wall (80 cm height) bordering the property boundary facing Langley Road and Hylton Cul-de-Sac, the final height is 160 cm from the street ground and the fence is made of treated timber panels.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a fence (80 cm height) extending the wall (80 cm height) bordering the property boundary facing Langley Road and Hylton Cul-de-Sac, the final height is 160 cm from the street ground and the fence is made of treated timber panels, at 9 Langley Road, Newton Hall, DH1 5LR in accordance with the terms of the application, Ref DM/22/00183/FPA, dated 22 January 2022.

Preliminary Matters

2. From my site visit I saw that development has been completed. The development appears to be in accordance with what is shown on the submitted plans, as such I have dealt with the appeal on this basis of the submitted plans.

Main Issue

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

Reasons

4. The appeal site is located on a corner plot fronting Langley Road. Boundary treatments along Langley Road vary in height and design however there is an absence of tall boundary treatments. Despite some differences in appearance, the boundary treatments are in general harmony with each other in terms of their character and appearance. Moreover, the absence of tall boundary treatments creates a clear sense of balance which contributes positively to the character and appearance of the area.
5. The development at the appeal site has been constructed from brick and timber inset panels wrapping around the corner plot. I observed a number of examples of boundary treatments of comparable height to the appeal scheme at other corner plots in the area, including opposite the appeal site. While these

are different in appearance, being natural boundary features and brick with metal railings there is a general uniformity in height. The timber inset panels have been stained brown which offers an element of visual continuity with the appearance of other boundary treatments in the area.

6. As such, both the height and design of the development does not result in a significantly different appearance from the other boundary treatments along Langley Road, including those at corner plot locations. Moreover, given the comparable heights of other boundary treatments in the area, the development does not add significant visual weight or unbalance either the appeal property or the street scene. The development is a harmonious addition that contributes positively to the character and appearance of the area. As the development is complete, it is not necessary to impose any conditions.
7. For the reasons given above, the development is not harmful to the character and appearance of the area and accords with policies 29 and 31 of the County Durham Plan (2020). These policies, amongst other things, seek development that is well designed and contributes positively to an areas character, and would not have an unacceptable impact through visual intrusion or dominance.
8. The development also aligns with the provisions of the National Planning Policy Framework (2021), set out in Section 12 regarding the need to achieve well designed places.

Other Matters

9. I have had regard to the letter of objection from a neighbour. Given the layout of the street the development is not adjacent to any neighbouring front windows and would therefore not have any clear effect with regard to overshadowing. I have given consideration to anti-social behaviour said to have been experienced by the neighbouring occupiers, but this has not lead me to any different conclusions. I note that no objection was raised on highway safety from the council's highways team and in any event, I have not found the development to be of a significantly different height to other boundary treatments in the area.

Conclusion

10. I conclude that the development accords with the development plan. Material considerations have not been shown to carry sufficient weight as to indicate a decision otherwise than in accordance with it. Therefore, the appeal is allowed.

F Harrison

INSPECTOR