



Appeal Decision

Site visit made on 11 April 2024

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 April 2024

Appeal Ref: APP/W4515/D/24/3336471

22 Mast Lane, North Shields, Tyne & Wear NE30 3DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Lorna Hamilton against the decision of North Tyneside Council.
 - The application Ref is 23/01058/FULH.
 - The development proposed is described on the planning application form as: "1.8 metre fence at front with a bin store & storage cupboard running from the fence, up the driveway toward the house. Internal height of fence 1.5m. Height is the same as numerous other fences in the street (No 4, 26, 34 & 36) so is in keeping with these. It also ensures that the dog is safe in the front garden & doesn't notice the people walking past so no jumping up at fence or barking."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to a development that has been substantially completed. The details I observed at my site visit appeared to match those shown on the submitted plans on which the Council made its decision. I have therefore determined the appeal against these plans.

Main Issue

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

Reasons

4. The appeal site is a semi-detached house on Mast Lane, which is a residential street forming part of a busy and well-used route connecting the A193 to the sea front of Cullercoats.
5. Mast Lane is lined on both sides by similar semi-detached properties to the appeal site. Most properties feature traditional low brick walls to the front boundaries, which enclose the front gardens whilst retaining a sense of openness to the front of the properties. Some properties also feature planting and hedgerows to the front boundaries which provide additional screening whilst enhancing the area's green and verdant character.
6. There are several examples of front boundary treatments extending above the brick walls including railings and close-boarded fencing of varying heights. The

appellant advises that the fence seeks to match existing boundary fences in the area, and has provided examples of several such fences.

7. The fence I observed extends substantially above the brick boundary wall and is prominently visible from a considerable distance away. Due to its height and solid appearance, it dominates the front of the property and appears out of character with the prevailing form of the streetscape. I note the examples of fences cited by the appellant. There is also a close-boarded, albeit lower, fence at the adjoining property. However, such examples are sporadic and do not comprise an intrinsic characteristic of the area, nor do they positively contribute to its character or appearance. Moreover, I am provided with limited substantive evidence as to whether these examples are authorised.
8. Given the site's location on a busy pedestrian, vehicular and bus route, the appellant's statement that the fence is sought to provide security for children and dogs is understandable. Nevertheless, the property also benefits from a reasonably sized rear garden where secure outdoor space could be provided. I am not aware of any circumstances whereby the nature of the surroundings or the level of activity to the front of the property has intensified in recent times. As such, I am not sufficiently persuaded that the requirement for the fence installed to the front of the property is such that it would outweigh the harm previously identified.
9. Although there were no objections to the planning application from neighbours, this is a neutral factor that does not weigh in favour of the development.
10. I note the appellant is willing to consider amendments to the scheme to make it acceptable. However, I must determine the appeal based on the details before me which, for the reasons outlined above, I do not find acceptable.
11. For the reasons given above, by virtue of the design and height of the fence, the development is harmful to the character and appearance of the area and conflicts with Policies S1.4 and DM6.1 of the North Tyneside Local Plan – Adopted 2017. These policies seek, in respect of this issue, for development proposals to be acceptable in terms of their impact upon local amenity, and for development to demonstrate high and consistent design standards. The development also conflicts with the provisions of the Design Quality Supplementary Planning Document – May 2018, and the National Planning Policy Framework, which have similar aims.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

P Storey

INSPECTOR