



Appeal Decision

Site visit made on 22 September 2025

by **A Hartley, LLB (Hons), Solicitor, MBA**

an Inspector appointed by the Secretary of State

Decision date: 09 October 2025

Appeal Ref: APP/X1355/D/25/3372062

22 Fourth Street, Crookhall, Consett, Durham DH8 7LS

- 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 Amy Ertena against the decision of Durham County Council.
 - The application Ref is DM/25/01094/FPA
 - The development is described in the application form as 'adding to the current fence to make it taller for privacy'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On site I observed the taller section of the boundary fence already in situ. The whole fence was stained a dark green colour. However, the fact that this development has been carried out has had no bearing on this decision.

Main Issue

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

Reasons

4. The appeal property is a terraced bungalow situated within a residential estate of similar dwellings. The properties have rear gardens, the majority of which are enclosed by timber fencing or hedging in a consistent and unobtrusive manner adjacent to the network of rear green alleyways. The rear boundary fence to the appeal property that is adjacent to the green alleyway does not exceed 2 metres in height and is unobtrusive.
5. The appeal development comprises the extended portion of fence that increases the height of the rear eastern boundary treatment of the appeal property to above 2 metres. As Fourth Street slopes down towards the east, the appeal development can be seen in its elevated position when viewed from the road at the bottom of Fourth Street.
6. The low boundary wall to No. 23 Fourth Street has the effect of increasing the dominance of the appeal development. However, even if that rear boundary were 2

metres in height, the appeal development would remain visible from public vantage points.

7. The appeal development has an uneven profile. Despite the dark green colour having been applied, due to the uneven construction, increased height to only one rear boundary and the prominence in view from both the street at the bottom of the slope and the rear green alleyway, the fence appears incongruous and visually intrusive in the street scene. This unacceptably undermines the more consistent boundary treatment that is characteristic of this area and is visually jarring in this context.
8. For these reasons, the development causes harm to the character and appearance of the area. Consequently, it conflicts with policy 29 of the County Durham Plan (2020), which seeks design that contributes positively to an area's character.

Other Matters

9. Since there is a potential for my decision to affect persons with protected characteristics, which in this case is disability, I have had due regard to the three objectives of the Public Sector Equality Duty (PSED) duty as set out in Section 149 (1) of the Equality Act 2010. These include giving due regard to the need to eliminate discrimination, and to advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not share it.
10. There is no compelling evidence that an alternative solution could not be provided to meet the needs of the appellant in terms of increasing privacy. In this case the harm caused to the character and appearance of the surrounding area from the appeal development outweighs the personal benefit and this provides a proportionate and justifiable reason to dismiss the appeal.

Conclusion

11. For the reasons given above I find that the development conflicts with the development plan when read as a whole. There are no material considerations that have been shown to carry sufficient weight to indicate a decision otherwise than in accordance with it. I therefore conclude that the appeal should be dismissed.

A Hartley

INSPECTOR