
Appeal Decision

Site visit made on 9 December 2019 by Hannah Ellison BSc (Hons) MSc

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13th January 2020

Appeal Ref: APP/M4320/D/19/3237894

28 Woodlands Road, Formby, L37 2JW

- 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 Jamie Lee against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2019/01167, dated 21 June 2019, was refused by notice dated 13 September 2019.
 - The development proposed is described as 'erection of perimeter fence on property. Fencing will be built within the boundary of the property to a height of 1.9 metres. Fencing will provide privacy and security to the property which currently have neither'.
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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 Matter

3. At the time of the site visit the development had been carried out. I have therefore considered the appeal on this basis.

Main Issue

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

Reasons

5. The appeal site is a corner plot located within a predominantly residential area. It includes a detached dwelling which is set back from the highway behind a low brick wall. This arrangement is similar to that at other properties in the locality, with the result that the area has a spacious, open character. This appeal seeks the retention of a brown, composite material fence which extends from the side elevation of the dwelling and wraps around the side boundary of the site along Tarn Road.
6. There is generous spacing to the front and side of the host dwelling and this contributes positively to the spacious character of the area. The fence

introduces solid built form and, due to its extent and the sites prominent corner location, it is readily apparent from the public realm. Additionally, its height does not reflect that of the predominant boundary treatment in this area. As such, the fence erodes the sense of openness in the area and reads as a stark and incongruous addition to the street scene.

7. My attention has been drawn to other examples of boundary fencing to corner sites and these were observed on site. I note that the boundary fence opposite, to No 30, does not currently have planning permission and I have no details of the planning status of the other fences I saw. Moreover, these fences do not necessarily constitute good examples of development to follow and do not reflect the predominant character of the area. In any event, this appeal has been determined on its own merits and the scale, height and design of the fence in this location are factors which have been taken into account. Accordingly, the examples do not justify the appeal development.
8. It is acknowledged that the appellants seek to have a private and secure rear garden area which is of a reasonable size. Whilst this is appreciated, I am unconvinced that this cannot be achieved by a boundary treatment more in keeping with the area.
9. It is noted there have been no objections to the development from neighbouring residents. However, a lack of opposition for a proposal from third parties is not a ground for granting planning permission, and does not overcome the issues identified.
10. Consequently, for the above reasons, the development harms the character and appearance of the area and thus conflicts with policy EQ2 of the Local Plan for Sefton, 2017 which seeks to ensure developments respond positively to the character, local distinctiveness and form of its surroundings and make a positive contribution through the quality of their design in terms of scale, height, form, massing, style, detailing, landscaping and use of materials.

Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Hannah Ellison

APPEAL PLANNING OFFICER

Inspector's Decision

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

S Ashworth

INSPECTOR