
Appeal Decision

Site visit made on 18 May 2020 by Hannah Ellison BSc (Hons) MSc

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2020

Appeal Ref: APP/H4315/D/20/3246366

55 St James Road, Rainhill L35 0PE

- 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 Dr Khan against the decision of St. Helens Metropolitan Borough Council.
 - The application Ref P/2019/0705/HHFP, dated 14 September 2019, was refused by notice dated 15 November 2019.
 - The development proposed is described as 'the construction of 2m high boundary wall to front of property, piers to 2.1m. The boundary wall and piers are currently constructed on site. In addition, 2no. proposed vehicle access gates to a height of 2m will form part of this application'.
-

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 Matters

3. At the time of my site visit the boundary wall had been erected and I have considered the appeal on this basis.

Main Issue

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

Reasons

5. The appeal site is a corner plot located on St James Road with St James Mount. It includes a large detached dwelling with generous side garden which is enclosed along part of the front and side boundary by mature hedging. Permission is sought for two gates and the retention of the existing front boundary wall.
6. The appeal site is located within the Rainhill: Old Lane, Warrington Road, View Road Residential Character Area (the RCA). Key characteristics of this area, as defined in the Supplementary Planning Document, Residential Character Areas

(2010) (the SPD) include the landscape and mature character of the area, with buildings tending to be set back to allow for attractive front gardens with planting and low brick walls running along the front of the properties. The area has a mature and leafy character, which is also reflected in the Rainhill Conservation Area (the CA) located immediately opposite the appeal site. The CA is noted for its large detached villas set back within substantial grounds, with strong channelled vistas reinforced by trees and boundary walling that give the public realm a distinct character.

7. The prevailing boundary treatment in the locality comprises of low walls with railings or fencing above and many also include elements of soft landscaping. All tend to allow the mature vegetation and gardens within each site to be seen and allow passers-by to get a sense of the generous plot sizes, thus contributing positively to the spacious and leafy characteristics of the area. The existing brick wall is of a substantial height and runs along a considerable length of the site's frontage along St James Road. It appears stark and overly dominant on the approach to the site from both directions and reads as an incongruous feature in the street scene. This would be further exacerbated through the inclusion of the proposed solid sliding gates. Whilst the light, buff brick wall and proposed timber panels may weather and visually soften over time, due to its solid design, height and length, the proposal encloses the plot and this part of the otherwise permeable street scene, thus restricting views through to the garden. Combined with the close positioning of the host dwelling to the highway, the proposal causes the plot to feel less spacious and open despite its generous size, and therefore fails to reflect the shared leafy and spacious characteristics of the RCA and the CA.
8. My attention has been drawn to other examples of boundary treatments in the area and these were observed on site. Except for one¹, all are within the RCA and I acknowledge there are some examples of high boundary walls and fences. However, they tend to be positioned around the corner of a site thus providing privacy to rear gardens. In any event, these structures do not reflect the predominant character of the area. I also observed that there are many higher front boundaries along Mill Lane. However, this appears to be a busier highway than St James Road and tall walls and fencing are characteristic to this part of the street scene. As such, these examples are read in a different context to the appeal site.
9. Furthermore, where sites have higher boundaries the dwellings tend to be set well back behind mature and extensive vegetation and gardens, thus softening the solid boundary treatment and contributing positively to the leafy and spacious characteristics of the RCA. This is particularly evident at the corner of St James Road with Mill Lane. In contrast, the appeal dwelling is positioned close to the highway and there is no inclusion of soft landscaping up to or along the boundary due to the presence of extensive hardstanding. I am not convinced that introducing vegetation in planting beds along the rear of the wall would be a sufficient measure to soften the visual effect of the boundary. In any event, this appeal has been determined on its own merits and the scale, height and design of the wall and gates in this location are factors which have been taken into account. Accordingly, the examples do not justify the appeal development.

¹ "Ref 5: 108 Ashton Avenue/Mill Lane" in the appellants grounds of appeal.

10. It is acknowledged that the appellant seeks to improve security and privacy within their site. Whilst the safety concerns are appreciated, I am unconvinced that they cannot be addressed by a boundary treatment more in keeping with the area.
11. Therefore, taking all the above into consideration, the appeal proposal has a harmful effect on the character and appearance of the area. As such, it conflicts with policies GEN 8 of the saved St. Helens Unitary Development Plan (1998) and CP1 of the St Helens Local Plan Core Strategy (2012) which collectively seek to ensure developments respect, maintain or enhance the character of the local setting. It is also be contrary to the SPD as set out above and the requirements of the National Planning Policy Framework which seeks to ensure developments are visually attractive and sympathetic to local character.

Other Matter

12. I acknowledge that the appellant is willing to make amendments to the proposed gates although there are no specific details before me. Nevertheless, I can only determine the appeal on the basis of the plans which have been considered by the Council and on which neighbouring occupiers were consulted.

Conclusion and Recommendation

13. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

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

Susan Ashworth

INSPECTOR