



Appeal Decision

Site visit made on 14 July 2020

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2020

Appeal Ref: APP/M4320/D/20/3244267

30 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 Mrs Rebecca Berger against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2019/01572, dated 21 August 2019, was refused by notice dated 3 December 2019.
 - The development proposed is described as "I am applying for retrospective planning permission as advised by Sefton Council. I have erected a new boundary fence however, I was requested to amend the fence to the front elevation to afford more splay onto Woodlands road which I have completed by setting the new fence back 2000mm as shown in drawing 1 of 1."
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have, for completeness, used the appellant's full name which is set out on the appeal form in my decision.
3. I could see from my site visit that the boundary fence had already been erected in accordance with the submitted plans. The Council do not raise issue with the boundary fence alongside Tarn Road as this has replaced a previous fence. Based on the evidence before me and the observations that I made during my site visit, I have no reason to disagree with this view. Hence, I shall focus on the effect of the boundary fence fronting Woodlands Road. I have determined the appeal on this basis.

Main Issue

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

Reasons

5. The appeal property is a detached two storey dwelling located within a largely residential area. The property is on the eastern side of the road at its junction with Tarn Road. Opposite the site is Woodlands Primary School. Properties in the area are generally set back from the road with hard and soft landscaped frontages behind a low brick wall.
6. The concrete post and timber panel fence lies behind a low brick wall fronting

Woodlands Road. Part of the fence next to the driveway serving the property has been set back slightly to aid the visibility of drivers egressing the property onto the road. Nevertheless, the section of the fence fronting Woodlands Road, in front of the appeal property's front elevation, has introduced a tall solid barrier that is not reflective of the largely open landscaped frontages which characterise the area.

7. Given the appeal property's sensitive corner plot location, the effect of the proposal on the character and appearance of the area is significant and much more intrusive than landscaping, which I understand previously lined the boundary with Woodlands Road. There are examples of higher boundary fences locally, but these, unlike the appeal scheme, do not extend across the front of properties. Hence, they are not directly comparable to the appeal scheme and do not justify the proposal before me.
8. A tall fence does enclose a larger part of the property's garden and does offer a private space for children to play. The appellant has spent monies with the view to improving their property, enhancing their security and the welfare of their child. However, development proposals need to harmonise with the character and appearance of the area. Concerns have also been raised by the appellant about children walking along the wall in front of the property, but the appeal scheme would not prevent children using the wall in any event. The Council have, with a view to finding a solution, suggested erecting a fence with a lower height. I note the appellant's reservations about this, and their own alternative which would be to set a fence further back into the site. However, neither option is before me, and I am of the view that a suitable boundary treatment could be designed to be in keeping with the area.
9. Despite my findings about the fence facing Tarn Road, I conclude, in relation to the proposal as a whole, that it has a significant effect on the character and appearance of the area. The proposal does not accord with Policies EQ2 and HC4 of A Local Plan for Sefton, Policy ESD2 of the Formby and Little Altcar Neighbourhood Development Plan, the Council's House Extensions Supplementary Planning Document and paragraph 127 of the National Planning Policy Framework. Collectively, these policies, seek, among other things, development involving alterations to dwelling houses to be of a high quality of design that responds positively to the character, local distinctiveness and form of its surroundings through their design, size, height and layout.

Conclusion

10. For the reasons set out above, I conclude that the appeal is dismissed.

Andrew McGlone

INSPECTOR