



Appeal Decision

Site Visit made on 8 December 2020

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal Ref: APP/W4325/D/20/3259554
93 Thingwall Road, Irby, Wirral CH61 3UB

- 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 Barry Shaw against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/20/00873, dated 28 June 2020, was refused by notice dated 25 August 2020.
 - The development proposed is a wall across the frontage of the garden/driveway.
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Decision

1. The appeal is allowed and planning permission is granted for a wall across the frontage of the garden/driveway at 93 Thingwall Road, Irby, Wirral CH61 3UB in accordance with the terms of the application, Ref APP/20/00873, dated 28 June 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan; drawing ref PL01.

Main Issue

2. The main issue is the effect of the proposed wall on the character and appearance of the area.

Reasons

3. The appeal property fronts onto Thingwall Road which, although not a major road, is a fairly busy through route. This stretch of Thingwall Road is characterised by semi-detached houses which are set well back from the road behind large front gardens. Boundary treatments on the properties fronting Thingwall Road include a variety of hedges, fences and sandstone or brick walls.
4. Front walls and fences in the surrounding area are generally lower than the proposed wall, which would be around 2 metres high. However, there are examples of other tall fences and hedges nearby on Thingwall Road, and the height of the proposed wall would not appear excessive in relation to neighbouring properties.

5. The solid form of the wall would present a large, closed screen along the whole of the frontage, but visual interest would be provided by breaking up the timber effect with rendered sections of wall. Combinations of walls/fences and hedges are common along the neighbouring frontages, and the use of two different materials would help the proposed wall blend in within the surrounding area.
6. Although the use of white render would match that of the existing house and its neighbour, white is not a common colour amongst other front boundaries on Thingwall Road. However, there are variety of colours evident in the boundary treatments of nearby houses, some of which are of lighter shades. Furthermore, a significant proportion of the proposed frontage would be of a darker colour, and the use of white render would be mainly restricted to the lower half of the wall. Overall, the effect would not be unduly prominent within this section of Thingwall Road.
7. In its decision notice, the Council has referred to Policy HS11 of the Wirral Unitary Development Plan 2000, but this refers specifically to house extensions and is silent on the matter of boundary treatments. Neither this policy, nor the House Extensions Supplementary Planning Guidance note, directly apply to the proposed development.
8. Paragraph 11 of the National Planning Policy Framework (the Framework) says that where there are no relevant development plan policies, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In this case, the proposal would not appear overly prominent in the streetscene and would not cause unacceptable harm to the character and appearance of the area. As there would be no significant adverse impacts, planning permission should be granted.

Conclusion

9. For the reasons given, the appeal is allowed and planning permission is granted, subject to the conditions which are necessary in the interests of certainty.

R Morgan

INSPECTOR