



Appeal Decision

Site Visit made on 23 November 2020 by Hilary Senior BA (Hons) MCD MRTPI

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2021

Appeal Ref: APP/Z4310/D/20/3260078

21 Chartmount Way, LIVERPOOL L25 5LB

- 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 Jacquie Drennan and Kay Matchett against the decision of Liverpool City Council.
- The application Ref 20H/0327, dated 30 January 2020, was refused by notice dated 3 March 2020.
- The development proposed is new boundary wall to front and side.

Decision

1. The appeal is allowed and planning permission granted for a boundary wall to the front and side, and a fence to the side, of 21 Chartmount Way, Liverpool L25 5LB in accordance with the terms of the application Ref 20H/0327, dated 30 January 2020 and the plans submitted with it.

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. The description of development set out in the Council's decision notice differs from that in the banner heading above. In the formal decision above I have used the more accurate description as set out in the decision notice.
4. The proposal is in two parts, a boundary wall to front and side of the dwelling and a fence to the side. The Council did not raise concern with the fence and, based upon my own observations, I find no reason to disagree with their assessment. The development has already been carried out.

Main Issue

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

Reasons

6. 21 Chartmount Way is a detached dwelling in a corner plot, in a residential area. The dwelling is located at the head of a cul de sac with sufficient space to allow the area in front of the property to be used for parking. Adjacent to the dwelling is a public footpath. The area is characterised by mainly detached

properties set back from the road behind gardens and driveways, bounded by low walls and in some instances landscaping features.

7. Whilst the boundary wall measures approximately one metre high adjacent to the driveway, its height increases across the frontage of the plot towards the corner of the footpath due to sloping nature of the site. The wall steps in height to the side of the plot where it adjoins the footpath and increases to a height of approximately two metres where it adjoins the fence. This timber fence continues to bound the side of the property and replaces an existing fence that was in poor condition. Whilst it is slightly higher than the fence it replaces, it is of a similar height to the boundary wall on the opposite side of the footpath and is therefore in keeping with the character of the area.
8. The boundary wall is constructed from red brick with concrete copings. Whilst the majority of the front elevation of the dwelling is finished in cream render, parts of the side elevation are built with red brick. The wall therefore complements the dwelling in terms of its materials and colour. Although it is higher than neighbouring boundary walls, the wall is nevertheless low enough to allow views of the property when travelling along Chartmount Way and is not disproportionate to the scale or height of the dwelling. Moreover, given its limited height, it does not appear as an obtrusive feature in the street scene, nor does it create an undue or incongruous sense of enclosure. Accordingly, it preserves the open character of the area.
9. For these reasons, the proposal does not cause harm to the character and appearance of the area. It does not therefore conflict with policies H4 and HD18 of the Liverpool Unitary Development Plan (2002) which together, amongst other things, seek to ensure that development relates well to its surroundings.

Other Matters

10. I note the objections to the proposal concerning the impact of the proposal on pedestrian safety for users of the adjoining footpath. Even though the wall is higher than one metre where it adjoins the public footpath, the additional height does not obscure the entrance to, or the signage of, the footpath and accordingly is not considered to cause harm to pedestrian safety in this location.
11. The Council is satisfied that the proposal does not harm the living conditions of neighbouring occupiers or compromise highway and pedestrian safety. From all I have seen and read I have no reason to disagree.
12. The Council has suggested that, in the event of the appeal being allowed, a condition regarding compliance with approved plans should be imposed. However, as the development has been carried out such a condition, in this instance, is not necessary. I have however, referred to the plans in the formal decision.

Conclusion and Recommendation

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

Hilary Senior

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 allowed.

Susan Ashworth

INSPECTOR