



Appeal Decision

Site Visit made on 9 June 2021

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2021

Appeal Ref: APP/M0655/W/21/3270844

16 Langcliffe Close, Warrington, WA3 4LR

- 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 Gary Weilding against the decision of Warrington Borough Council.
 - The application Ref 2020/38306, dated 8 December 2020, was refused by notice dated 1 February 2021.
 - The development proposed is a timber vertical boarded fence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The fence has already been erected so I am therefore considering this proposal retrospectively.

Main Issue

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

Reasons

4. Langcliffe Close is a short cul-de-sac of modern, detached houses which are set back from the road, with a regular building line. The original estate design had an open plan layout, with unenclosed, grassed front gardens. Two short spurs lead off the main cul-de-sac, and on corner properties such as 16 Langcliffe Close (No. 16), wide grassed areas to the sides of the houses contribute significantly to the open character of the area.
5. Over time, some of the front gardens in the street have been enclosed by hedges, and this has eroded the open character of the street to some extent. However, the hedges are generally low in height and do not appear unduly prominent or out of place within the street scene. Furthermore, Langcliffe Close still retains many of the original design features, including the low brick walls marking the entrance to the estate and positioned on either side of the spur roads. Fences are not a common feature in the streetscene, but where they do occur, including around the boundary of 3 Langcliffe Close, they are generally of a consistent style, colour and height, with some being supported by brick pillars which match the feature walls.
6. The fence which is the subject of this appeal has been erected to the side of No. 16, fronting onto the spur road. Whilst it is set back from the road

frontage so as not to impinge upon the service strip, it is forward of the established building line. Although it only encloses a small area of garden and does not protrude further than the feature brick wall, the close boarded fence is sited in a prominent location and is of a different style and colour to the other fences visible along Langcliffe Close. As a result of its position height, colour and style, the fence appears incongruous and out of character within the streetscene. I note the appellant's comment that the intention is to plant vegetation which will screen the fence, but this would take time and the future retention of such planting cannot be guaranteed.

7. The fence is positioned in front of the gateway brick wall so obstructs views of this original design feature. I acknowledge that, around the estate, these features are becoming increasingly hidden behind hedges and other vegetation, and as a result are no longer particularly prominent. However, the development has resulted in an attractive brick feature being hidden by a fence which fails to reflect any of the design features of the estate, and appears unattractive and out of place.
8. From the appellant's submission it is apparent that, prior to erecting the fence, he went to some lengths to establish the planning position, and acted in good faith based on the advice given. However, the need for planning permission was subsequently established, owing to a condition imposed on the original planning permission for the estate. The purpose of the condition, which removes permitted development rights for walls, fences and other means of enclosure, is to provide additional planning controls to help safeguard the character of the area.
9. It is unfortunate that the existence of the condition was not picked up earlier, as this could have avoided unnecessary frustration and expense for the appellant. However, the fence that has been erected fails to respect the established character of the area, which the condition seeks to protect. Planning permission should therefore be withheld.
10. I conclude that the development causes harm to the character and appearance of the area. It conflicts with Policy QE 7 of the Warrington Local Plan Core Strategy 2014, which supports developments that enhance the character and appearance of the street scene.
11. In its decision notice, the Council has also referred to Policy QE 6 of the same plan, but that is concerned primarily with environmental protection rather than design so is not directly applicable to this appeal.

Conclusion

12. The proposal conflicts with the development plan and no other considerations outweigh this finding. For the reasons given, the appeal is therefore dismissed.

R Morgan

INSPECTOR