



Appeal Decision

Site Visit made on 18 May 2021

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2021

Appeal Ref: APP/M4320/D/21/3269181

1 Heather Close, Formby L37 7HN

- 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 Anthony Corner against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2020/02369, dated 19 November 2020, was refused by notice dated 3 February 2021.
 - The development proposed is the erection of a boundary wall 900mm high with intermittent pillars at 1475mm and one at 1660mm.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A brick wall and brick piers have been erected around the front and side boundaries of the appeal site. The siting and layout of the wall and piers reflect the submitted plan. So does the height of the wall.
3. Despite the description of development set out on the planning application form, I consider the description found on the decision notice and the appellant's appeal form better reflect the scheme that is proposed and that which the Council considered. For clarity, the brick piers to the left of the entrance and at the corner next to Southport Road do not reflect the heights detailed on the submitted plan or the description of development. My findings therefore relate to this description of development which is set out above.
4. In addition to the submitted plans, there are two further brick piers on the flank boundary next to Southport Road. As these are not shown on the submitted plan or within the description of development on which the scheme was considered, I have not taken them into account in reaching my decision.

Main Issue

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

Reasons

6. The appeal site is a corner plot at the junction of Heather Close and Southport Road near to the busy dual carriageway of Liverpool Road. Southport Road is a busy link from Liverpool Road to Freshfield and the centre of Formby. Heather Close and nearby roads are largely characterised by residential properties with a range of front and side boundary treatments. Despite the tall flank timber fence to 17 Heather Close, boundary treatments next to roads are generally of a low height and some properties have an open plan frontage.

7. The proposed brick piers would not be consistent with the design of other boundaries in the area due to their number or height. Even if I were to consider the principle of the style, form and finish appropriate in the context of the local area, the scale of the proposed brick piers, which are an integral part of the boundary, would not respond positively to the surrounding area. Hence, the proposal would fail to respect the character and appearance of the area as it would not be of a high-quality design. The proposal would be a discordant feature in the street scene on approach to the roundabout from Southport Road and the close. The ability to still see the property's front elevation would not change this. Nor would the proposal strike the right balance between security and its respect for the character of the area.
8. By reducing the height of the brick piers, the proposal could theoretically be permitted development. However, this would have a less harmful effect on the character and appearance of the area than the proposal. As such, it does not justify the appeal scheme. Nevertheless, it may be a matter to be discussed with the Council who have started enforcement proceedings. There are also no planning conditions suggested by either party that would make this otherwise unacceptable development acceptable.
9. Although the proposal would not conflict with criteria 2a), 2c), 2d) of Policy EQ2 of A Local Plan for Sefton (Local Plan), this is outweighed by my conclusion that the proposed development would harm the character and appearance of the area and would therefore conflict with Local Plan Policy EQ2 1a), 2 and 3a), Policy ESD2 of the Formby and Little Altcar Neighbourhood Development Plan, the House Extensions Supplementary Planning Document and paragraph 127 of the National Planning Policy Framework. Together, these seek high quality design that responds positively to the character of its surroundings through scale and materials so that good quality boundary features are created.

Other Matters

10. The appellant is undertaking improvements to their home which they are able to do, subject to either the works being permitted development or according with planning policy.
11. I note the concerns raised about the erection of a porch and the alleged encroachment onto Council owned land to the rear, but these matters lie outside the scope of this appeal and the Council are investigating these matters in any event.

Conclusion

12. The appeal scheme conflicts with the development plan as a whole and there are no material considerations that indicate that I should take a different decision other than in accordance with this.
13. For the reasons given above I conclude that the appeal is dismissed.

Andrew McGlone

INSPECTOR