



Appeal Decision

Site visit made on 24 January 2022

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2022

Appeal Ref: APP/H4315/D/21/3281299

2A Rosebery Road, Dentons Green, WA10 6AG

- 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 Mark Davies against the decision of St Helens Metropolitan Borough Council.
 - The application Ref P/2021/0478/HHFP, dated 14 May 2021, was refused by notice dated 2 July 2021.
 - The development proposed is the erection of a boundary fence and gate.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a boundary fence and gate at 2A Rosebery Road, Dentons Green, WA10 6AG in accordance with the terms of the application, Ref P/2021/0478/HHFP, dated 14 May 2021, 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:
Existing Masterplan Drawing No. SC.2aRoseberyRd.DG.1;
Existing Plan Drawing No. SC.2aRoseberyRd.DG.2;
Existing East, South Elevation Drawing No. SC.2aRoseberyRd.DG.3;
Proposed Masterplan Drawing No. SC.2aRoseberyRd.DG.4;
Proposed Plan Drawing No. SC.2aRoseberyRd.DG.4; and
Proposed East, South Elevation Drawing No. SC.2aRoseberyRd.DG.6.
 - 3) The materials to be used in the construction of the development hereby permitted shall be in strict accordance with those specified on the application form.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached property located on the corner of Kiln Lane and Rosebery Road. At present the property has a low brick wall along the boundary to Kiln Lane that curves around the corner and continues part of the way along the boundary to Rosebery Road. The rest of the boundary is marked by a much higher brick wall.

4. Kiln Lane comprises mainly semi-detached houses. Whilst these are of varying designs, a characteristic feature is the low brick wall marking the front boundary, which on many of the corner plots curves round the corner. In contrast, Roseberry Road comprises detached houses and dormer bungalows set in more spacious plots with tall walls/fences/hedges along the front boundary creating a much greater degree of enclosure.
5. The proposed fence would enclose the garden area located at the side of the building, along Roseberry Road, extending as far as the front elevation of the house. It would be located behind the existing low boundary wall which would be retained along both the Roseberry Road and Kiln Lane boundaries. Given that Roseberry Road is characterised by high boundary treatments and the property itself has a high brick wall along part of this boundary, the fence would not appear an incongruous feature in the street scene of this road.
6. As the proposed fence would not extend beyond the front elevation of the house, the boundary treatment to Kiln Lane would not change, and the property would retain the low brick wall that curves around the corner of the plot. As such, the contribution the boundary wall at the front of the site makes to the distinctive character of Kiln Lane would not be altered. In addition, given that the fence would only be visible in short range views when travelling along Kiln Lane, it would not be an overly dominant feature.
7. Many of the other dwellings that occupy corner plots on Kiln Lane, have also increased the height of the boundary treatments along their side boundaries, by way of fences, walls and/or hedges. Whilst some of these are set back from the front elevation of the house, others project further forward than it. Given this, the proposal would not appear out of keeping with the other corner plots in the locality.
8. The proposal would reduce the contribution the site makes to the openness of the junction and would be different to the boundary treatment found on the corner plot opposite. However, the height, design and materials of this wall is already different to that of the host property. As a result, I am satisfied that any lack of consistency would not have an adverse visual impact on the area.
9. Therefore, I consider the proposal would not harm the character and appearance of the area. Consequently, it would accord with Policy CP1 of the *St Helens Local Plan Core Strategy (adopted October 2012)* and Policy GEN8 of the *St Helens Unitary Development Plan (adopted July 1998)* which require developments to respect and enhance the character and appearance of the local area.

Conclusion and Conditions

10. For the reasons set out above, I conclude the appeal should be allowed.
11. In addition to the standard implementation condition, to provide certainty it is necessary to define the plans with which the scheme should accord. A condition to control the external appearance of the development is necessary in the interests of visual amenity.

Alison Partington

INSPECTOR