



Appeal Decision

Site visit made on 8 March 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th March 2022

Appeal Ref: APP/M4320/D/21/3289692

27 Fell View, Southport PR9 8JX

- 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 Mrs M Lloyd against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2021/01858 dated 17/07/2021, was refused by notice dated 15/10/2021.
 - The development proposed is erection of fence in the rear garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, the proposed fence was in place. The application made clear that the scheme had been submitted retrospectively and I have dealt with the appeal on that basis.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area and the living conditions of the occupiers of No. 25 Fell View.

Reasons

4. The development comprises a timber fence with structural supports along the shared boundary with No. 25 Fell View. The land levels of the appeal site garden and adjacent properties fall towards the watercourse at the rear of the properties.
5. The fence is at a consistent height along the majority of the shared boundary. Due to the fall in levels the height of the fence is visually dominant and at odds with the open waterside views. The fence between the appeal site and No. 27 decreases in height and follows the fall in land levels, I observed other boundary treatments in the area also decreased in height closer to the watercourse.
6. The robust aluminium structural supports are clearly visible when the development is viewed from the neighbouring garden, No. 25, and give a non-domestic appearance to the fence. This combined with the overall height of the

fence is incongruous to the area, oppressive and stark to the occupiers of the neighbouring property.

7. Whilst I recognise that a decking area and garden building are located within the rear garden of No. 25 close to the shared boundary, I am not persuaded that the development before me is the only solution to provide privacy for the residents of the appeal property.
8. I find that the fence is dominant and detracts from the open nature of the area. I conclude that the proposed development harms the character and appearance of the area along with the living conditions of the occupiers of No. 25 Fell View.
9. There is conflict with A Local Plan for Sefton (2017), Policies EQ2 and HC4 which seek amongst other things to ensure development responds positively to the character and form of an area whilst protecting living conditions of occupiers of neighbouring properties. There is conflict with the House Extensions, Supplementary Planning Document (2018) which seeks to ensure such structures respect the character and design of an area and neighbouring properties.
10. There is also conflict with the Framework which seeks to ensure developments are of good design appropriate and sympathetic to their surroundings.

Conclusion

11. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR