



Appeal Decision

Site visit made on 7 February 2022

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2022

Appeal Ref: APP/M4320/D/21/3284311

9 Argarmeols Road, Freshfield, Formby, Nr. Liverpool L37 7BU

- 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 Tom Handley against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2021/00644, dated 5 March 2021, was refused by notice dated 10 September 2021.
 - The development proposed is described on the application form as 'alterations to existing boundary wall to frontage'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At appeal the appellant submitted further information regarding the potential security implication of the proposal, via correspondence dated 8 February 2022. Whilst an appeal should not be used to evolve a proposal, the information contained therein is nevertheless relevant to the rationale for the scheme. The Council had the opportunity to comment on it, albeit their response sets out how it does not alter their position. The Council's response contains reference to an appeal decision relating to a similar proposal at 14 Argarmeols Road¹, on which the appellant also had the opportunity to comment at appeal. I have therefore taken account of all the foregoing representations in determining the appeal, an approach which I consider is both necessary and fair to all parties.

Main Issue

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

Reasons

4. The appeal site comprises a substantial detached dwelling with a long frontage onto Argarmeols Road, which is within a residential area featuring large properties of varied age and style. In common with other properties on this road, the appeal property is set back from the road with a front garden and driveway. Properties in the area are generally set within large plots with mature trees and street trees contributing positively to a spacious, verdant character. Front boundary treatments predominantly comprise low brick walls, some with railings or fencing above, and planting behind.

¹ Appeal ref APP/M4320/D/20/3246270

5. Permission has been granted for the erection of a 1.8m high rendered wall with open railings between piers and entrance gates on the site frontage, however this consent has not been implemented². Instead, the front boundary currently consists of a rendered wall to a height of around 1.7m with piers and gates. The appeal proposal seeks to lower part of the existing wall and to insert solid fence panels between the piers.
6. The combination of the proposed wall and fence panels would, by reason of its height and substantial length adjacent to the pavement, create a stark and dominant barrier to the site frontage, which would not reflect the more modest front boundary treatments generally found along Argarmeols Road.
7. The previously approved scheme for a 1.8m high wall with piers and railings would also increase the sense of enclosure to the front of the property. However, the railings between the piers would inherently retain a more open character to the site frontage. In contrast, the appeal scheme would create a solid barrier which would be at odds with prevailing open character of the area and would detract from the established street scene. I note that the Inspector for the appeal at No 14 concluded similarly in respect of a proposal for a 2m high wall and gates to the frontage of that property.
8. During my site visit I observed other examples of high front walls and fences within the locality. However, I do not have the details of the planning history of these before me, and their design and specific contexts are not identical to the appeal proposal. Accordingly, I have assessed the appeal scheme on its own merits and the other examples do not justify the harm I have found.
9. For these reasons, the proposal would be harmful to the character and appearance of the area, and would therefore be contrary to Policy EQ2 of A Local Plan for Sefton (2017), which, amongst other things, seeks to ensure that development responds positively to the character, local distinctiveness and form of its surroundings. The proposal would also be contrary to paragraph 130 of the National Planning Policy Framework, where it requires development to add to the overall quality of the area and be sympathetic to local character.

Other Matters

10. I sympathise with the appellant's desire to increase security and privacy to their property. However, in the manner proposed this would be at the expense of the character and appearance of the area. Moreover, there is no robust evidence before me to demonstrate that the appeal proposal is the only approach to achieving improved security and privacy levels. Therefore, although I have had full regard to the evidence before me, this consideration does not outweigh the harm that I have identified.

Conclusion

11. For the reasons given above, having considered the development plan as a whole and all other relevant material considerations, the appeal is dismissed.

M Ollerenshaw

INSPECTOR

² Council ref. DC/2020/00268