
Appeal Decision

Site visit made on 10 January 2023

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2023

Appeal Ref: APP/M0655/D/22/3312315

16 York Road, Grappenhall and Thelwall, Warrington WA4 2EH

- 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 Viki Peers against the decision of Warrington Borough Council.
 - The application Ref 2021/40392, dated 21 October 2021, was refused by notice dated 2 November 2022.
 - The development proposed is for gates, gate posts and fence.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development was in place at the time of my visit and reflected the submitted details. For clarity, I have determined the appeal based on the plans before me.

Main Issues

3. The main issues are the effect of the appeal proposal on (i) the character and appearance of the area, and (ii) highway safety.

Reasons

Character and Appearance

4. The appeal property is situated in a predominantly residential area that contains a mix of dwellings, both single and two storeys of varying designs. The properties are set back from the road, with their garden and driveway areas enclosed by varying boundary treatment, although low boundary walls, some of which have hedges above or those that are wholly formed of hedging predominate in the vicinity of the appeal site. I was able to see some properties with taller fencing, but these tended to be on return boundaries, where a side boundary to a property is adjacent to a highway. Nevertheless, despite the presence of these, the low boundaries and hedges to frontages, as well as planting within gardens, gives the area a spacious, verdant character.
5. The fence that forms part of this appeal is around 1.8m in height and extends along most of the frontage to York Road and Harwood Gardens, with similar height brick piers and gates forming the remainder of the property's boundary to York Road. The height of this boundary treatment, including the horizontal slatted form of the fence, appears as an obtrusive feature that contrasts markedly with the softer, more naturalistic boundary treatment of other

dwelling. The fence and other aspects of the boundary treatment extend for a considerable length in a prominent corner location, limiting views into the appeal property's garden which has eroded the spacious character of the area.

6. I have had regard to the previous boundary treatment which stood on the appeal site. Although the height of this previous boundary is not clear from the information presented, the Council has stated that the previous fence was lower than the appeal scheme, at around 1.5m. In any event, from the photographs presented, the previous boundary fence existed along part of the appeal property's boundary in combination with planting behind the fence that helped soften its appearance.
7. Concerns have been raised in relation to the impact on the Grappenhall Victoria Road/York Drive Conservation Area (Conservation Area). However, the Conservation Area is located to the west, beyond the neighbouring property, 16a York Road. Although the appeal proposal is seen from York Road within the Conservation Area, given the separation and the angled nature of the views from it, I do not consider that it has any harmful impact on its setting.
8. Nevertheless, I conclude, for the reasons set out, that the appeal proposal has a detrimental impact on the character and appearance of the area. It therefore conflicts with Policies CS 1 and QE 7 of the Local Plan Core Strategy (Core Strategy) and the House Extensions Supplementary Planning Document (June 2021) (SPD), which seek, amongst other matters, proposals that reinforce local distinctiveness and enhance the character and appearance of the local area. I have afforded the SPD significant weight given it is recent and intended to support the policies in the Core Strategy. It also conflicts with paragraph 130 of the Framework which requires development to be sympathetic to local character. Although the refusal notice also references Core Strategy Policy QE 8, this relates to the historic environment where I have found no harm arising from the appeal proposal.

Highway Safety

9. The Local Highway Authority has raised concerns on the location and height of the fence, stating that the minimum visibility splays of 2.4m x 25m are impeded by the fence subject of this appeal. From my site observations, the high boundary fence at the back edge of the footway limits visibility in the westerly direction for vehicles leaving Harwood Gardens. This gives rise to an increased potential for conflict between traffic and other highway users.
10. I have taken account of the previous fence, but from the information available, I am unable to find that it had the same effect on visibility as the appeal proposal given the lower height of the previous fence and the precise extent and height of the now removed boundary vegetation is not clear.
11. Consequently, I conclude that the appeal proposal has an adverse impact on highway safety. It therefore conflicts with Policy QE 6 of the Core Strategy and the SPD, which require, amongst other matters, development to provide adequate visibility splays and to not have an adverse impact on highway safety.

Other Matter

12. I note the appellant's comments that the removal and replacement of the boundary treatment subject of this appeal with an alternative will have cost

implications. I am however required to determine the appeal before me based on its planning merits.

Conclusion

13. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, including the provisions of the Framework, I conclude the appeal should be dismissed.

F Rafiq

INSPECTOR