



Appeal Decision

Site visit made on 5 April 2023

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th April 2023

Appeal Ref: APP/Z4310/D/23/3314733

7 Blackwood Avenue, Liverpool, L25 4RN

- 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 Knowles against the decision of Liverpool City Council.
 - The application Ref 20H/0901, dated 23 March 2020, was refused by notice dated 11 November 2022.
 - The development proposed is a new boundary wall to front.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. I have noted that the plan submitted with the appeal documents is ref 101 Rev C and as this is included on the Council's planning register and dated prior to the Council's decision notice, I have determined the appeal on this basis.

Reasons

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the western side of Blackwood Avenue. The development plan includes policy UD1 of the Liverpool Local Plan (2013-2033) (adopted 2022) which seeks to ensure that proposals are of a high design quality and take into account the local distinctiveness and character of the location, including amongst other things, the means and pattern of enclosure.
4. The appeal site lies within a residential area on the western side of a wide, sloping four lane carriageway which is divided by a wide, grassed central verge with numerous mature trees. Dwellings are mainly detached and likely to have been built in the inter-war period. Whilst many have been subject to alterations, they generally retain their traditional character. The appeal dwelling has a slightly more contemporary appearance with dark coloured windows, new roofing materials and fully rendered external walls.
5. Along both sides of the road, properties generally have low front boundary walls of between around 0.3m and 1.3m built in brick to match the base courses of the dwellings, often with hedging or other planting behind, with some slight variations according to land levels. The height of the boundaries generally follows the slope of the road, resulting in a broad consistency and pleasant rhythm in the street scene. Vehicular or pedestrian openings are generally unenclosed by gates. Those boundaries reflect the character of the

dwelling and make a positive contribution to the open, leafy suburban character of the road.

6. In some cases, however, particularly at the top and bottom of the road, the original front boundary has been replaced with a much higher boundary and/or gates. Some of those detract from the character and appearance of the street scene by reason of their height and/or materials which appear unduly enclosing and at odds with the materials of the more traditional boundaries and the openness of the street scene. The Council has said that not all have planning permission and most are beyond the immediate context of the appeal site.
7. At the appeal site, there is an existing boundary wall in three sections of around 2m height at its highest point topped by small infill panels, with higher piers and two wide openings which was constructed in 2019 without planning permission. There is some planting along the side boundaries but none on the front boundary. A subsequent application submitted to retain the boundary (19H/2343) was refused and an appeal dismissed.
8. The proposed new wall would also be split into three sections topped by metal railings. It would be 1m at its lowest point with piers of 1.5m in height and two sets of wrought iron gates 1.6m high.
9. On this side of the road, the dwelling at no 3, next door but one to the appeal site, has a higher wall topped by railings, piers at some 1.6m in height and two sets of metal gates. That boundary has not had planning permission. Although the proposal would not be dissimilar to that, its overall height would be greater than the overall height of the neighbouring boundaries at nos 5 and 9, even though the plans show a similar height between the proposed wall and the pier at no 9. Despite the reduction in height from the existing boundary, the new boundary would still appear excessively high in contrast to its immediate neighbours. This would disrupt the rhythm of generally low boundaries in the street scene and it would be clearly seen in views up and down the road.
10. Furthermore, the inclusion of gates would be inconsistent with the more open effect of most of the neighbouring front boundaries. The lack of planting immediately behind the front wall would result in an excessive amount of hard landscaping without the greenery and softness of many of the surrounding properties. Regardless of their unacceptable height, the proposed style and materials of the railings and gates do not reflect the character of the period in which these houses were built in which any gates or fences would have been less ornate and of timber. Metal railings and gates are generally more suited to dwellings built in the Victorian or Edwardian period.
11. For these reasons, I conclude that by reason of its height and design, the proposed boundary would cause significant harm to the character and appearance of the western side of Blackwood Avenue, contrary to the development policies referred to earlier.

Conclusion

12. For the reasons given, I conclude that the appeal should be dismissed. There are no material considerations that justify determining the appeal otherwise.

Sarah Colebourne

Inspector