



Appeal Decision

Site visit made on 17 April 2023

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/D0650/W/22/3310275

**Vehicle Impound Yard, Waterloo Road/Barn Street, Widnes, Cheshire
WA8 0QF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr J Wood on behalf of WPW & Partners Limited Executive Trust against Halton Borough Council.
 - The application Ref 22/00292/FUL, is dated 31 May 2022.
 - The development proposed is the erection of a secure replacement 2.4m brick perimeter wall to a vehicle impound yard.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a secure replacement 2.4m brick perimeter wall to a vehicle impound yard at Vehicle Impound Yard, Waterloo Road/Barn Street, Widnes, Cheshire WA8 0QF in accordance with the terms of the application, Ref 22/00292/FUL, dated 31 May 2022, 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 plan: 1066/BSW/PL1.
 - 3) Prior to any above groundworks taking place, details/samples of the materials to be used in the construction of the perimeter wall hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - 4) Prior to the commencement of any development, a plan for the management of material generated by the excavations, including provision for encountering contaminated material, should be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - 5) No development shall commence until there shall have been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate. The approved scheme shall be carried out in the first planting and seeding seasons following the completion of the development; and any trees or plants which within a

period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Preliminary Matters

2. I have taken the site's address from the appellant's appeal form as this more accurately reflects the site's location than the address on the planning application form.
3. The planning application was not determined by the Council, but in considering this appeal I have had regard to their view that planning permission ought to be granted for the proposed development subject to planning conditions.

Main Issue

4. Based on the evidence before me, I consider the main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site relates to a compound accessed off Barn Street and Water Street to the east of Waterloo Road. The site provides a secure vehicle impound facility for the storage of untaxed vehicles.
6. A tall weld mesh fence extends around the site's northern and north-eastern boundaries. The site's western boundary comprises a tall concrete panel wall. Gates provide access in and out of the site from Barn Street and Water Street are also in the western site boundary.
7. The proposed wall would replace the fencing on the northern and north-eastern site boundaries that the appellant says was installed for a temporary period, and which has not secured the site.
8. Whilst I do not necessarily consider the proposed wall to be 'adjacent' to a highway based on the site's relationship and proximity with the highway, I agree with the Council that there are overriding security considerations that have been demonstrated by the appellant in this case.
9. Policy GR3 of the Halton Delivery and Allocations Local Plan (Local Plan) also requires proposed boundary walls to be visually attractive, constructed of high quality and durable materials and be appropriate to the character and appearance of the area.
10. The proposed wall would be sited in the same location as the fence. It would also be of the same height as the fence, whilst durable materials would be used to construct it. That said, the proposed wall would be visible and prominent when viewed from the roundabout beneath the Mersey Gateway Bridge. The proposed wall would be set back from the highway behind a grass verge and it would be set below the ground level of the highway, which would lessen its effect. However, the proposal would introduce a solid boundary to the area around the roundabout which is characterised by lower and/or boundary treatments that permit views through or over them to the land beyond.
11. Nevertheless, existing boundary treatment on the site's western boundary and those to the south and west means that the proposed boundary wall would not be out of kilter with the character and appearance of the area. Native planting

in front of the new wall facing the roundabout would soften its appearance. Over time, this would mature, and it means that the proposal would not cause harm to the character and appearance of the area.

12. Accordingly, I conclude the proposal would accord with Local Plan Policy GR3 which seeks boundary walls to be visually attractive, of high quality and durable materials and to be appropriate to the character and appearance of the area in which they are located.

Conditions

13. I have imposed a plans condition in the interests of certainty. Conditions concerning the materials and a landscaping scheme area are necessary in the interests of the character and appearance of the area. A condition about contaminated material is necessary to ensure that there is no significant risk to human health or the surrounding environment.

Conclusion

14. The proposal accords with the development plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with this.
15. For the reasons given above, I conclude that the appeal should be allowed.

Andrew McGlone

INSPECTOR