

Appeal Decision

Site visit made on 4 July 2023

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th July 2023

Appeal Ref: APP/Z4310/D/23/3320942

78 Camphill Road, Liverpool, L25 7UQ

- 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 K Battle against the decision of Liverpool City Council.
 - The application Ref 22H/2658, dated 27 September 2022, was refused by notice dated 30 January 2023.
 - The development proposed is the erection of boundary treatment facing the highway.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed boundary treatment on the character and appearance of Camphill Road; and secondly, the effect of the boundary treatment on highway safety.

Reasons

3. Camphill Road is a residential street in a suburban location characterised by similar, semi-detached dwellings set behind front gardens which are mostly separated from the street by low walls with open driveways. This gives the street a spacious and landscaped character because gardens are visible over the walls. In some cases metal gates have been installed but these are of slim rails and hence visually permeable, retaining the sense of openness.
 4. The proposed metal boundary fencing was in situ at the time of my site visit. It is some 1.5m high and of solid construction, extending across the width of the frontage. It stands out in the street scene as an alien and intrusive addition which creates a visually impermeable barrier. The materials and dark colour add to its incongruous appearance. If allowed to remain it would materially detract from the open, spacious character and appearance of Camphill Road.
 5. The appellant suggests that the Council has been inconsistent in its implementation of local policy and draws attention to other examples in the area which, she suggests, support her appeal. However, the only example in Camphill Road relates to a side boundary which is not comparable with the appeal proposal. Examples in other streets are shown, some of which appear to
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show visually impermeable front boundaries but I have no details of these other cases, including height and context which may differ from the appeal site. In consequence, these examples do not demonstrate inconsistency and carry limited weight in favour of the appeal proposal.

6. It is concluded on the first main issue that, notwithstanding other boundary treatments in the wider area, the proposed boundary treatment, owing to its height, materials and location on the frontage would have a materially detrimental effect on the character and appearance of Camphill Road. In consequence, it would conflict with Policies H7, UD1 and UD2 of the Liverpool Local Plan 2013-2033 (LP), adopted in 2022. Taken together these expect new development in residential areas to have no adverse impact on the character of the area through taking account of, amongst other things, means and patterns of enclosure including their form, scale and proportion, materials and colours which should be appropriate to the characteristics of the local area.
7. Turning to highway safety, the proposed boundary treatment, owing to its height, solid construction and position at the rear of the footway, would prevent a clear view of pedestrians approaching the site for emerging drivers. This would adversely affect highway, and in particular pedestrian, safety. In view of the location of the property, close to the junction with School Lane which provides access to and from the main Hillfoot Road, this part of the street is likely to be well used by pedestrians, increasing the risk. However, I am satisfied that, owing to the separation distance and width of neighbouring driveways and existing side boundary treatment, vehicles emerging from Nos 76 and 80 Camphill Road would retain their existing levels of visibility.
8. It is concluded on the second main issue that the proposed boundary treatment would have a materially harmful effect on highway, and in particular pedestrian, safety. In consequence, it would conflict with LP Policies H7 and UD1 which, taken together, expect new development in residential areas to have no adverse effect on residential amenity by taking account of, amongst other things, patterns of movement.
9. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR