
Appeal Decision

Site visit made on 10 September 2023

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2023

Appeal Ref: APP/W4325/D/23/3324533

28 Eric Road, Liscard, Wirral CH44 5RQ

- 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 Margaret Gifford against the decision of Wirral Council.
 - The application Ref APPH/22/01937, dated 11 November 2022, was refused by notice dated 30 March 2023.
 - The development proposed is described as the erection of wooden gates and adjoining fence within an access entryway at the rear of this address.
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Preliminary Matter

1. The development described in the heading above has already been carried out. The Council indicates that only the gates require planning permission. There are no reasons to disagree and this decision therefore focuses on the gates element of the appeal proposal.

Decision

2. The appeal is dismissed.

Reasons

3. The gates and fence behind it are almost 2m high and are located at the rear of the appeal property which is at the corner with Greasby Road. They are significantly taller than the low brick boundary wall at the front of the adjacent No 26 Greasby Road. This height difference and the position of the gates forward of the Greasby Road front building line appears incongruous in the street scene, particularly as most front boundaries are also bounded by low brick walls. Properties at both ends of Greasby Road have either low to medium height fencing or low concrete board fencing but are different to the appeal proposal in terms of context and design.
4. The applicant seeks to improve security at the rear of 28 and 30 Eric Road, by preventing intruders entering the alleyway and the removal of refuse bins. The evidence indicates that the appeal proposal replaces a high boundary wall and gates which were set back from the road and behind the front of 26 Greasby Road. There is little evidence to indicate how the appeal scheme improves overall security. The appellant's security requirements could be achieved by other means which could also restore natural surveillance of the space, in accordance with the principles of designing out crime. An alternative proposal could also address the fear of crime experienced by the occupiers of the neighbouring property since the scheme was erected.

5. Concerns raised about the safety of the structure of the gates and the structural impact of the works on a neighbouring building are more appropriately addressed by other legislation.
6. I conclude that the height, siting and materials of the gates result in an intrusive and unduly prominent structure which is out of keeping with and harms the street scene and is therefore detrimental to the character and appearance of the surrounding area. For these reasons the proposal is contrary to the broad aims of securing the protection and enhancement of visual amenity as set out in Policy GR5 *Landscaping and New Development* of Wirral's Unitary Development Plan which I consider is the policy most relevant to this proposal. Its Reasoned Justification states that fencing or other suitable boundary treatments must be appropriate to the setting of the area. The proposal is also contrary to the requirement for high quality design set out in the National Planning Policy Framework.

Elaine Benson

INSPECTOR