

Appeal Decision

Site visit made on 20 November 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2023

Appeal Ref: APP/M4320/D/23/3330106

11 Davenhill Park, Aintree, Liverpool L10 8LY

- 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 D Wardale against the decision of Sefton Council.
 - The application DC/2023/01353, dated 1 August 2023, was refused by notice dated 20 September 2023.
 - The development proposed is a fence.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The fence to the side of this detached property has already been erected. It is a high fence made of composite materials and although to the side boundary of the property, it lies adjacent to the turning head and the access to 15 Davenhill Park. Given its significant height and limited set back from the highway, it appears intrusive. Its light colour and solid appearance emphasises its uncharacteristic appearance. The area adjacent to this fence is not in a prominent public place which reduces its wider impact but nevertheless, when using the turning head or accessing the neighbouring property, it has a particularly stark appearance that detracts from the character and appearance of this area.
 4. There are other high fences in this area, including the grey timber boarded fence along the canal at the head of the turning area and also the brown fence associated with number 16. There is also a high fence at the junction of Davenhill Park and Aintree Lane. These do not represent such a striking addition to the street scene. I am not persuaded that the materials used at the appeal property would weather to a colour that would be more recessive but in any event, even a less strident colour would not address concerns with regard to the height and lack of set back of this structure.
 5. As the fence detracts from the character and appearance of the area due to its height, position and materials, it represents poor design in this context. It is
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contrary to the requirements of policy HC4(a & b) of the Local Plan for Sefton 2017. It also conflicts with the design aspirations of the *National Planning Policy Framework*.

6. I have taken into account the views of local residents, who support the proposal. I am mindful also of the sustainability credentials and other benefits of the materials used. The layout of this road and this garden requires that the side boundary provides privacy and is secure. Whilst these matters weigh in favour of the proposal, there are other options, such as the arrangement of the front boundary, that would be less harmful.
7. Although I have had regard to the matters put forward by the appellant, including the other permitted developments in the area, these do not justify this intrusive feature and do not outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR