



Appeal Decision

Site visit made on 28 August 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2024

Appeal Ref: APP/M0655/D/24/3339585

68 Kingsley Drive, Appleton, Warrington WA4 5AF

- 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 Matthew Pimlott against the decision of Warrington Borough Council.
 - The application Ref is 2023/01044/FULH.
 - The development proposed is the erection of block/timber decorative wall/fence to side elevation of property boundary.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The wall and fence have already been constructed. I have therefore proceeded on the basis that retrospective planning permission is sought through the appeal. The main issue for which is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. Kingsley Drive is a suburban residential street. The appeal site comprises a semi-detached dwelling on a prominent corner plot at the junction of Kingsley Drive and Warren Drive. The properties in the immediate area are set back from the street with front gardens and driveways. Most of the front boundaries have low walls or fences, hedges of varying heights, or in some cases they have nothing. Overall, the street scene is open, green and pleasant.
5. Fences are not an uncommon feature locally. The Warrington House Extensions Supplementary Planning Document 2021 (SPD) sets out that 1.8m high fencing/walls may be acceptable where they are required to provide privacy to private rear garden areas on corner plots. However, while the fence has a height of approximately 1.4m above the ground level of the rear garden, it is in the region of 2.4m above the level of Warren Drive. In this case the height and extent of the fence fails to retain the quality of the open appearance and thus

pleasant character of the street and, as a result, it is an obtrusive feature. This effect is exacerbated by the fence's prominent position.

6. The appellant states that the fence is only 0.4m higher than one that would be allowed under permitted development. However, and if this were to be the case, such a fence would be significantly lower than the existing and therefore would have less of an impact on the street scene. As such, the fallback position of a lower fence does not justify the appeal proposal. The fence at 36 Kingsley Drive which fronts the street is considerably lower than the one that is the subject of this appeal, and therefore has considerably less of an impact on the street scene. It does not justify the fence at the appeal site.
7. For these reasons, the fence causes significant harm to the character and appearance of the area. As such it conflicts with Policy DC6 of the Warrington Local Plan Core Strategy 2014 insofar as it requires for development to respect and make a positive contribution to local character. The fence also fails to accord with the SPD and the design aims of the National Planning Policy Framework 2023.

Conclusion and Recommendation

8. There are no material considerations before me worthy of sufficient weight which would indicate that a decision should be made other than in accordance with the development plan. I therefore recommend that the appeal be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report and on that basis I dismiss the appeal.

John Morrison

INSPECTOR