



Appeal Decision

Site visit made on 2 January 2025

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2025

Appeal Ref: APP/A0665/D/24/3352642

49 Sandileigh, Hoole, Chester, CH2 3QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Anne Hackett against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/01438/FUL.
 - The development proposed is the erection of a 1.8m high wall at front left side of property.
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Decision

1. The appeal is allowed and planning permission is granted for a 1.8m high wall at front left side of property at 49 Sandileigh in accordance with the terms of the application Ref 24/01438/FUL, subject to the following condition
 - 1) The development hereby permitted relates to the following approved plans: 1:1250 scale location plan; and hand drawn site plan.

Procedural Matter

2. The wall has already been erected. Consequently, I have dealt with the appeal on the basis that the proposal is to retain the existing structure.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the streetscene.

Reasons

4. The appeal property is a detached dwelling, which is situated within a residential area. It is situated at the end/entrance of Sandileigh close to the junction with Woodlands Drive. An electricity sub-station adjoins the appeal site on its northern side. The sub-station is enclosed partly by the appeal wall and partly by timber gates. Whilst front boundary enclosures along Sandileigh vary, they are generally low stone or brick walls with hedging or other vegetation. In that regard there is a uniformity to the streetscene.
5. The wall has been built along the side boundary of the property with a return along the frontage. The front section is lower at 1.65m compared to 1.8m at the side. The planning application form describes its construction as "breeze block covered in grey cobbles."

6. The Council considers that the wall is visually prominent and out of keeping with the streetscene and that it conflicts with Policies ENV 6 of Part 1 of the Cheshire West and Chester Local Plan and with Policies DM3, DM19 and DM21 of Part 2 of the Cheshire West and Chester Local Plan. Policies ENV 6, DM3 and DM 21 are particularly relevant to this appeal as they require a high standard of design and for proposals to be in keeping with the character of the area. Policy DM21 also specifically includes boundary treatments in this requirement.
7. Furthermore, the Council's Supplementary Planning Document – House Extensions and Domestic Outbuildings, states that new boundary treatments should have regard to the prevailing boundary treatments in the surrounding area, in respect of height, position and materials.
8. I share the Council's view that the appeal proposal conflicts with the provisions of the Development Plan and Supplementary Planning Document, due to the scale and appearance of the wall. However, there are other material considerations to be taken into account and each case should be considered on its merits.
9. On other properties along Sandleigh the proposal may well have been unacceptable. However, in this case the position of the wall at the end/beginning of the street means that it stands apart and does not have the same visual or physical relationship with the other front boundaries along the Sandleigh. Furthermore, the height of the wall along the frontage matches the height of the gates to the sub-station and planting within the front garden of the property softens its visual impact. Accordingly, whilst there is a policy conflict, I am not persuaded that the proposal has an unacceptably harmful impact on the streetscene.

Conditions

10. As the wall has already been constructed, the only condition necessary is one specifying the approved plans.

Conclusion

11. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR