



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/W4325/D/24/3354586

16 Eddisbury Road, West Kirby, Wirral, CH48 5DS

- 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 Mr Warren Phillips against the decision of Wirral Council.
 - The application Ref is APPH/24/00524.
 - The development proposed is a front garden wall.
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Decision

1. The appeal is allowed and planning permission is granted for a front garden wall at 16 Eddisbury Road, West Kirby, Wirral, CH48 5DS, in accordance with the terms of the application Ref APPH/24/00524, subject to the following condition:
 - 1) The development hereby permitted relates to the following approved plans: 1:1250 scale location plan; and hand drawn plan and elevations at scales 1:50 and 1:100.

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 detached dwelling, which is situated in a low-density residential area. The property has recently been renovated and altered and, as part of that, a new rendered wall with two entrances flanked by piers, has been constructed along the frontage of the site. The plans show that the wall has a maximum height of 1.8m.
5. Boundary treatments on frontages along Eddisbury Road vary, but low brick or rendered walls with fencing or planting between piers are a common characteristic of the streetscene, although a tall close-boarded timber fence encloses a dwelling opposite the appeal site. I have noted that the Council does not consider that the existence of other walls or fences should act as a precedent for this appeal proposal.

6. The Council considers the wall to be a visually obtrusive feature by reason of its height, finish and prominence and, as a result, it conflicts with Policy HS11 of the adopted Wirral Unitary Development Plan 2000. This policy refers solely to house extensions and, consequently, it does not appear to be directly relevant to the appeal proposal. Nevertheless, in reaching my decision, I have also considered the provisions of paragraph 135 of the National Planning Policy Framework 2024 (NPPF), which states, amongst other things, that developments should be sympathetic to local character and be visually attractive.
7. The wall does appear different to most other front boundary structures and enclosures along Eddisbury Road. However, I do not find it unacceptably harmful to the appearance of the streetscene. It has a relatively plain and inoffensive appearance and it matches the materials, in both form and colour, that have been used on the appellant's dwelling. Furthermore, because of the existing height of landscaping and hedging on the neighbouring properties, which is similar to the height of the appeal wall, it does not appear unduly prominent in the streetscene. In my opinion, these material considerations outweigh any conflict that there may be with the Development Plan or the NPPF.

Conditions

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

Conclusion

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

Ian McHugh

INSPECTOR