



Appeal Decision

Site visit made on 25 March 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th April 2025

Appeal Ref: APP/Z4310/D/24/3357279

23 Hillfoot Avenue, Liverpool L25 0NR

- 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 Liam Wignall against the decision of Liverpool City Council.
- The application Ref is 24H/1951.
- The development proposed is for a screen wall 900mm high with piers with infill of batten style fence.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal has been amended in the banner heading above to omit the words *retrospective planning*, as it is not a description of development.
3. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024 with a further minor revision on 7 February 2025. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this decision.
4. I observed during my site visit that the development has been carried out, which appears to accord with the plans before me. The appeal representations also refer to the development as having been carried out. I have therefore considered the appeal on the basis that the development has already taken place.

Main Issues

5. The main issues are the effect of the development on;
 - the character and appearance of the surrounding area; and
 - highway safety.

Reasons

Character and appearance

6. Hillfoot Avenue is a wide highway that has service roads to either side of its central dual carriageway, which are segregated by grass verges. The appeal site is located on the northern side of Hillfoot Avenue where there are evenly spaced street trees. The majority of the houses on the northern side of Hillfoot Avenue have low front boundary treatments, such as brick walls, to the back of the

pavement, and many also have hedgerows or other forms of landscaping positioned behind them. All these factors give the area an open and verdant character and appearance.

7. There are, along this stretch of Hillfoot Avenue, a very limited number of high front boundary treatments that do not accord with the prevailing character. These include slatted fence battens or railings on top of brick walls and between high brick piers. These present themselves in stark contrast, with an adverse impact on the quality of the street scene and do not fit in with the more pleasant character and appearance of Hillfoot Avenue.
8. The development is a brick wall that runs along the site's frontage and to the back of the pavement. On top of the wall are high brick piers and between these are timber slatted fence battens. There is also a single brick pier to the back of the pavement on the boundary between the drives to Nos 23 and 25 Hillfoot Avenue.
9. Due to the development's location, height and design, it has a solid, dominant and overbearing impact on the street scene. Consequently, it has eroded the prevailing open and verdant character and appearance of Hillfoot Avenue.
10. For the above reasons, the proposed development is harmful to the character and appearance of the surrounding area. This is contrary to Policy UD1 of the Liverpool Local Plan, which requires development proposals to demonstrate that, amongst other things, frontages have been taken into account. The proposal is also in conflict with the Framework, which seeks to ensure that development is sympathetic to local character.

Highway safety

11. There is a gap along the front boundary, to enable vehicles to park directly in front of the house. No details have been provided in terms of visibility splays at the site, or what the Council requires in such circumstances.
12. There is some limited visibility through the slatted fence battens and the gap along the front boundary is wider than for use by a single car. However, the development appears likely to limit visibility for a driver exiting the site before the vehicle has encroached onto the public highway. I did observe parked vehicles that were facing the road, though due to the limited scope to turn within the site, vehicles may reverse out, which makes it more difficult for drivers to see a passing pedestrian.
13. I observed on my site visit the residential nature of the service road, where traffic levels and vehicle speeds were low. Moreover, with the number of front driveways onto the service road, it would not be uncommon for pedestrians to experience cars exiting onto the highway.
14. However, on the evidence presented, and even with a driver exercising caution when exiting the site, I cannot conclude with reasonable certainty that the development would not represent a hazard to highway users, in particular passing pedestrians.
15. Accordingly, I conclude that the development has an adverse effect on highway safety. The Council has not identified conflict with the development plan in terms of highway safety. However, it is contrary to the Framework which requires development to have an acceptable impact on highway safety.

Other Matters

16. I appreciate that there is a similar high front boundary treatment near the appeal site, which the appellant has claimed he sought to replicate. I do not know the circumstances under which it was erected or its status with regards to planning permission and therefore cannot draw any direct comparison with the proposal that would weigh in its favour. The presence of this does not overcome the harm that I have otherwise found.
17. I recognise that it has been a difficult time for the appellant and his family, and he wanted to provide privacy and security, as well as reduce the amount of litter being dropped on the property. However, these circumstances do not provide sufficient justification to outweigh the harm I have identified.
18. I note reference to the installation of rainwater grids associated with the erection of the wall and other environmental benefits at the property. These are all matters which do not weigh in favour or against the proposal and have a neutral effect on the planning balance due to their scale, and the lack of detail to show they are a direct result of the development, or otherwise rely on it.
19. I acknowledge that the proposal did not raise any objections from neighbours. Nevertheless, I must consider the appeal based on its merits and in accordance with the development plan.

Conclusion

20. The proposal conflicts with the development plan as a whole and the material considerations put forward in support of the proposed scheme do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

P Barton

INSPECTOR