



Appeal Decision

Site visit made on 16 April 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2025

Appeal Ref: APP/M4320/W/24/3355861

2A Harington Road, Formby, Sefton L37 1NS

- 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 Ms Jo Baldwin against the decision of Sefton Council.
 - The application Ref is DC/2024/01015.
 - The development proposed is the demolition of an existing dwelling and the erection of a detached dwelling house including garage and associated landscape works, and the erection of detached outbuildings. Alterations to the front and side boundary treatments, including the extension of dropped kerb and access from Victoria Road.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises of a detached dwelling set in a spacious garden plot which contains extensive mature planting. It is situated on the corner of Harington Road and Victoria Road with nearby properties predominantly comprising of detached dwellings. These properties vary in their scale and appearance, with those along Victoria Road, particularly on the northern side comprising of larger properties. The setting back of buildings behind garden areas that contain vegetation and trees contributes positively to a spacious and verdant character of the area.
4. The proposed replacement dwelling would introduce a development that is noticeably larger than the existing dwelling. Given the proposed reorientation, the proposed dwelling would be more closely related to dwellings along Victoria Road rather than Harington Road, and its massing would reflect the generally larger scale of properties along the former road.
5. Whilst the appeal site is in a prominent corner location, the proposed dwelling would be set behind garden and drive areas to both Harington Road and Victoria Road. It would also provide a gap to the neighbouring dwelling at No. 75 Victoria Road, and result in a greater degree of separation to the neighbouring property at No. 2 Harington Road than the existing appeal house.
6. The proposed dwelling would sit forward of No. 1, but that is on the opposite side of Harington Road. More immediately, the front and a side elevation of the

proposed dwelling would broadly align with the adjacent No. 75 Victoria Road and No. 2 Harington Road and although there would be some reduction in landscaping along the Victoria Road frontage, the established planting on the corner around the pond would be retained with further planting proposed.

7. The proposal would have large glazed areas at second floor level, but these would be contained within the roof and also align with glazed openings lower on the same elevations. Having regard to the range of building styles in the area, which includes other properties with glazed gable features and dormers to the front elevation, I consider this aspect of the proposal would not be harmful.
8. As part of the proposed development, new boundary treatment is sought, which includes a 1.8m rendered wall along Victoria Road. Given the height and the solid form of this part of the boundary treatment, it would appear as an imposing addition at the pavement edge. I was able to see boundaries formed of high walls and solid fences, but unlike the other nearby sites along Victoria Road, including some of those referenced by the appellant, the appeal property is situated in a corner location on the junction of two roads. This boundary wall would partially obscure views of the landscaped garden areas and would not respond positively to the spacious and verdant character of the area. The presence of some high walls and fences on corner plots along Harington Road, which is predominantly formed of open boundaries with low level planting, does not alter my view and serves to demonstrate the harm that would be caused by boundary treatments that are not appropriate having regard to the character of the area.
9. Although reference has been made to a condition that could be used to require details of the boundary treatment, given the extensive length along two roads which such boundary features would be erected, it is necessary for the details of this treatment to be considered as part of this decision. I do not consider that it can be addressed in this instance by condition.
10. I therefore conclude that the appeal development would have an unacceptable harmful impact on the character and appearance of the area. As such, it would conflict with Policy EQ2 of the Sefton Local Plan and Policy ESD2 of the Formby & Little Altcar Neighbourhood Development Plan 2012 to 2030, which seek, amongst matters, high quality design, development that makes a positive contribution to local character and the creation of good quality boundary features. It would also be contrary to the New Build Homes Supplementary Planning Document and Paragraph 135 of the National Planning Policy Framework (Framework), which seeks development that is sympathetic to local character and to prevent high walls that can appear oppressive.

Other Matters

11. I note the development was undertaken following advice from the LPA, including in relation to the boundary treatment. Reference has also been made to alternative developments granted planning permission on other sites by the Council, but these will have been considered on their own merits. This appeal follows the Council's formal decision, and I can confirm that I have dealt with it accordingly on its own merits.
12. Reference has been made to fallback alternatives utilising permitted development rights, but these relate to extensions to the existing house rather than the erection of any boundary treatment. I consider the proposal, with the inclusion of the

boundary wall and its dominating effect, would be clearly more harmful than the fallback position which does not include any changes to the boundaries.

13. I have taken into consideration that historically the appeal property had a wall with a fence that extended to a height of around 1.8m but have considered this case on its own merits having regard to the existing boundary features which along Victoria Road consists of a low level wall.

Conclusion

14. The proposed development would not accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR