
Appeal Decision

Site visit made on 23 February 2016

by H Cassini BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10th March 2016

Appeal Ref: APP/M2325/D/15/3141366

12 Cherrywood Avenue, Lytham St Annes, Lancashire FY8 4PJ

- 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 Mrs Davina Marginson against the decision of Fylde Borough Council.
 - The application Ref 15/0374, dated 29 May 2015, was refused by notice dated 8 October 2015.
 - The development, which has been completed, is a fence behind 'listed' stone wall (high level independent of wall within garden).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the fence on the character and appearance of the area, having particular regard to whether the setting of the grade II listed Lytham Hall estate boundary wall has been preserved.

Reasons

3. The grade II listed Lytham Hall estate boundary wall was constructed in the late eighteenth or early nineteenth century from cobblestones and rendered coping. It runs for approximately one mile on the south and west boundaries of the estate. Whilst in some locations the wall has been altered in association with newer development, the overall scale and form of the wall is largely intact. It is a consistent and dominant feature which makes a particularly valuable historic and highly visible contribution to the street scene along Blackpool Road. A section of the wall forms a garden boundary of the appeal site.
 4. Although not attached to the wall, the fence, which has already been erected, is immediately alongside its inner face and it protrudes above the top of the wall. The fence's suburban garden timber panel design is very much out of keeping with the traditional stonework. Also, its closeness and height above the wall means that it has a jarring juxtaposition which adversely affects views of the wall from Blackpool Road. In my view the appeal fence has harmed the character and appearance of the area and it has failed to preserve the setting of the listed wall. Painting the fence would not ameliorate this harm.
 5. It is acknowledged that the addition of the fence may have increased the level of privacy and security to the garden of the appellant's property. However there is no suggestion that either of these two matters were a particular
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problem before the fence was erected. Examples of other fences have been cited by the appellant and supporters of the appeal scheme. However, I saw that these were very much in the minority and I do not know the circumstances that led to these proposals being accepted. As such I cannot be sure that they represent a direct parallel to the circumstances of the appeal case. In any event, the existence of other fencing sited on or adjacent to the wall does not justify the identified harm. I have therefore determined this appeal on its own planning merits. None of the matters raised in support of the appeal scheme constitute public benefits that outweigh the great weight that must be attached to the conservation of the designated heritage asset.

6. For the above reasons the fence also does not accord with the design and historic environment protection aims of policies HL5 and EP4 of the Fylde Borough Local Plan (2005) and the National Planning Policy Framework.
7. Taking account of all matters raised, I conclude that the appeal should be dismissed.

Helen Cassini

INSPECTOR