
Appeal Decision

Site visit made on 24 January 2017

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 14th February 2017

Appeal Ref: APP/M0655/W/16/3159365

Luqmans Indian Cuisine, Phipps Lane, Burtonwood, Warrington WA5 4HQ

- 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 Mr Geoff Seddon against the decision of Warrington Borough Council.
 - The application Ref: 2016/27882, dated 14 April 2016, was refused by notice dated 26 May 2016.
 - The development proposed is a first floor dormer window to front elevation of the property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the building and the surrounding area.

Reasons

3. The appeal building is a former school which was latterly used as a restaurant and is currently being converted into a dwelling house. It is constructed of red brick, with red sandstone and red engineering brick dressings. It has a pitched roof that runs parallel to the road, with a two storey, pitched roof, rear addition perpendicular to this, and a lower gable fronted side addition. The building is included on the Council's Local List of buildings of architectural or historic interest and as such is a non-designated heritage asset.
 4. The building is located on a short cul-de-sac and is adjacent to a single storey mid twentieth century brick building used as a social club. To the south is a two storey, detached, dwelling house set in a large plot and to the north is an open field. To the east is a cleared site that is currently being used for the casual parking of cars.
 5. Policy QE7 of the Warrington Local Plan Core Strategy 2014 (Core Strategy) seeks to ensure that new development is of a high standard of design that reinforces local distinctiveness and enhances the character, appearance and function of the street scene, local area and wider townscape; and which harmonises with the scale, proportions and materials of existing buildings. This has to be read in conjunction with Warrington Supplementary Planning
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Guidance - Roof Extensions, adopted in 2003 which sets out advice on the design of roof extensions and dormer windows.

6. Core Strategy Policy QE8 seeks to ensure that heritage assets are protected and enhanced. This is echoed by the advice in the Warrington Supplementary Planning Document - Design and Construction 2010 which seeks to ensure that locally listed buildings are protected.
7. The proposed dormer window would be centrally located on the front elevation of the main part of the building and would be built up from the wallhead, cutting through the overhanging eaves of the roof. The National Planning Policy Framework (the Framework) requires the effect of a development on the significance of a non-designated heritage asset to be taken into account when determining planning application and appeals. Neither party has put forward any substantive evidence in respect of the significance of the appeal building.
8. This notwithstanding, a large part of the architectural character of the building is derived from the proportions of the main façade and roof. The red brick plinth and string course, and the continuous sandstone band at eaves level give the building a strong horizontal emphasis. The proposed dormer would interrupt this horizontal emphasis and, due to its small size and the small size of the window within it, would appear out of proportion with the larger architectural elements of the façade.
9. In addition, as a result of the low position of the dormer on the wallhead, it would appear out of proportion compared to the overall size of the main roof. As a consequence, the proposed dormer would be a dissonant feature and would be harmful to the architectural integrity and character of the main façade of the appeal building.
10. The relatively open nature of the street to the front of the building and location of the building at the end of the street would make the proposed dormer readily visible. Within the immediately surrounding area, there are no other front dormer windows. Whilst there is no strong prevailing architectural style in the area, it is typified by simple roof forms and the proposed development would be inconsistent with this.
11. I have had regard to the appellant's point that the proposed dormer window was suggested by the Council's Building Control Officer in order to meet the requirements of the Building Regulations in respect of means of escape as a result of the position of the new floor that has been inserted into the structure as part of the residential conversion. However, the Building Regulations do not override the Development Plan and there are alternative ways of meeting the requirements of the Building Regulations in respect of compliance with Approved Document B.
12. I have also noted that there have been no objections from third parties to the proposed development. Nonetheless, this fact does not, of itself, justify granting planning permission.
13. I saw when I visited the site that a similar, previously approved, dormer is in the course of construction on the rear elevation of the building. This elevation is significantly less visible than the front elevation of the building and, additionally, there is a two storey, pitched roof, rear addition to the building that gives the rear of the building a different massing and appearance to the

front elevation. The rear dormer is located adjacent to this. In this respect it is not comparable to the appeal proposal.

14. I therefore find that the proposed development would cause harm to character and appearance of the building and the surrounding area. It would be contrary to the relevant requirements of Core Strategy Policies QE7 and QE8, which seek to ensure that new development has regard to its context and that heritage assets are protected. It would also be inconsistent with the advice in the Warrington Supplementary Planning Guidance - Roof Extensions and the Warrington Supplementary Planning Document - Design and Construction.

Conclusion

15. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR