
Appeal Decision

Site visit made on 2 December 2019

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th January 2020

Appeal Ref: APP/D0650/W/19/3237522

Land to the Rear of 26 - 38, Ash Lane, Widnes WA8 8JQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr A Brown against the decision of Halton Borough Council.
 - The application Ref 19/00252/OUT, dated 3 May 2019, was refused by notice dated 12 September 2019.
 - The development proposed is the demolition of one dwelling, conversion of retained part into garage for no. 30 Ash Lane, creation of new access, erection of 4 dwellings and associated car parking.
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Decision

1. The appeal is dismissed

Procedural Matters

2. The planning application was submitted in outline form with all matters reserved for future consideration, with the exception of access. Whilst the drawings indicate the siting of the dwellings, the appellant confirms that these are illustrative only. I have determined the appeal on that basis.

Main Issue

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

Reasons

4. The appeal site is located within a predominantly residential area comprising detached, semi-detached and terraced properties. Whilst existing properties vary in their size and design, there is consistency in that they are generally located within extensive plots, follow established building lines and have a presence within the streetscene, which creates a strong pattern and grain of development. The extensive rear gardens provide a spaciousness to the rear of the properties, which makes an important positive contribution to the leafy suburban setting.
5. The appeal site currently forms part of the rear garden of 24 Ash Lane and extends across the rear boundaries of properties on Ash Lane and Briar Field Avenue. Its extensive size and soft landscaping make an important contribution to the spaciousness of the rear gardens area. Whilst this gap between Ash Lane and Briarfield Avenue is not characteristic of other

- developments within the locality, it nevertheless makes an important positive contribution to the overall spaciousness of the area.
6. The proposal would introduce dwellings within the backland area between the properties to the north and those to the south, which, with the exception of small, ancillary domestic buildings, is currently free from built form. This would be in marked contrast with the existing pattern of development.
 7. In addition, the lack of street frontage that the dwellings would have, being largely screened from the public realm by existing dwellings on Ash Lane and Briarfield Avenue, would be out of character and incongruous with the pattern and grain of the existing development.
 8. I acknowledge that the proposal would likely achieve similar plot sizes to other dwellings in the vicinity. However, this would not overcome the harm as a consequence of the proposal's failure to reflect the exiting pattern and grain of development.
 9. The appellant also argues that accesses at 90 degrees to the highway is typical of the area, although he has not identified any specific examples. Based on my own observations made during my site visit, there were a number of cul-de-sacs, including Clinton Close and Woodview Crescent. However, dwellings within these developments clearly address the public highway and follow the established pattern of the development within the area. In marked contrast, the proposed dwellings would be largely hidden from views off the public highway and likely fail to address the existing pattern of development.
 10. I find therefore, that the proposal would significantly harm the character and appearance of the area, contrary to saved Policies BE1 and BE2 of the Halton Borough Council Unitary Development Plan 2005, which seeks to ensure that development is of a high quality that respects local distinctiveness and respects and relates well to existing adjacent buildings. It would also fail to accord with the design objectives of the National Planning Policy Framework (the Framework), which amongst other things, seek to ensure that development is sympathetic to local character and history, including the surrounding built environment and landscape setting.
 11. The Council also refer to the Halton Borough Council Design of Residential Development Supplementary Planning Document 2012. However, they have not directed me to any relevant parts of the document which the proposal would conflict with. Therefore, based on the evidence before me, I find no conflict with this document.

Other Matters

12. I have had regard to the appellant's argument that the Council's own technical site assessment of the site as part of the preparation of the local plan only identified access as an issue with the site. However, I note that the site is not allocated for development and at the time of the assessment there was 'No known proposal' for the site. Therefore, it seems to me that an assessment of the effects of residential development on the character and appearance of the area did not form part of that assessment. Accordingly, I attribute very limited weight to the assessment.

13. I have also had regard to the development of the site preventing the need for the use of the development of what is currently Green Belt land. However, given the small scale of the development, it is unlikely to have any material effect on whether Green Belt land is made available for housing development.
14. The site is well located in terms of accessibility to services, facilities and job opportunities and would make a positive contribution to the supply of housing in the area. These benefits weigh in favour of the proposal, although I attribute them only limited weight due to the small scale of the development.
15. I note the concerns raised regarding the effect on the living conditions of neighbouring residents. However, I am satisfied that the site is of a sufficient size that a suitable scheme could be achieved ensuring adequate separation distances and mitigation measures that would protect the living conditions of existing neighbouring residents.

Conclusion

16. The proposal would offer some benefits in terms of its contribution to the supply of housing in the area and its good accessibility to services, facilities and job opportunities. In addition, it would, to a very limited extent, potentially reduce the need for the use of Green Belt land for housing. It would also comply with a number of policies within the development plan and the Framework. However, individually or cumulatively, I do not find that these benefits outweigh the harm to the character and appearance of the area and the consequential failure to comply with the UDP and Framework when considered as a whole.
17. For the reasons given above, the appeal is dismissed.

Alexander Walker

INSPECTOR