
Appeal Decision

Site visit made on 26 May 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 8 July 2020

Appeal Ref: APP/H4315/W/20/3245775

199 St Helens Road, Eccleston Park, Prescot L34 2QB

- 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 Alan Hughes against the decision of St. Helens Metropolitan Borough Council.
 - The application Ref P/2019/0485/FUL, dated 3 July 2019, was refused by notice dated 22 August 2019.
 - The development proposed is "detached true bungalow to be built in large rear garden to 199 St. Helens Road, accessed from Valencia Grove, including associated parking".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area, and
 - whether the proposal would provide a satisfactory living conditions for future occupiers with particular regard to the provision of private outdoor amenity space.

Reasons

Character and appearance

4. The appeal site currently forms part of the rear garden of 199 St Helens Road, which is a large corner plot the side of which borders Valencia Grove. St Helens Road is characterised by a mix of dwelling types including, to one side of Valencia Grove, large semi-detached dwellings with uniformly large gardens, and to the other, a regularly designed row of bungalows, which are set well back from the highway with smaller rear gardens.

5. In contrast, property types on Valencia Grove, a short cul-de-sac, are varied and include a detached farmhouse, barn, bungalow and a row of 3 modern dwellings. Accordingly, Valencia Grove, which is quiet and has no through traffic, has a less formal character than St Helens Road.
6. The proposal includes the subdivision of the existing garden of 199 St Helens Road to form two separate plots. The existing garage to No 199, which fronts Valencia Grove, would be demolished and replaced with a single storey dwelling with associated parking spaces and garden area.
7. The Council's Supplementary Planning Document New Residential Development (2011) recommends that the minimum rear garden depth for houses will generally be 10m unless the particular merits of the case, in terms of the character of the setting, can be proved to warrant a reduction in this requirement.
8. In this case there is a dispute between the parties about the garden depth but nevertheless even using the appellant's calculation it would be only 8m long and would not therefore comply with the above guidance. However, whilst the building would be larger than the existing garage, and positioned closer to the highway, the plot width of the proposed bungalow would be similar to the houses on the opposite of Valencia Grove, and slightly wider than that of the existing bungalow. The set back from the highway, which would be sufficient to accommodate 2 parked vehicles, would also be similar to those opposite. I acknowledge that the overall plot size would be considerably smaller than the average plot size in the area, particularly those on St Helens Road, but the depth of the plot would not be readily apparent from the public realm. Moreover, the bungalow would be seen in the context of properties on Valencia Grove, where it would have a neutral impact on the informal mix and pattern of development.
9. I acknowledge that the proposal would shorten the garden of No 199. However, seen from Valencia Grove, the resulting garden length of 10m would be sufficient to prevent the house appearing hemmed in. Moreover, there is no property immediately behind the site and therefore as a result of the space around the proposed bungalow, although it would be on a restricted plot, it would not appear unduly cramped in the street scene. In addition, because the building would be single storey, and given the boundary treatment, it would not have a significant adverse effect on the privacy or light of adjoining premises. In terms of the character of the setting therefore, a reduction from the 10m guideline is justified.
10. Consequently, the proposal would not harm the character or appearance of the area and would therefore be consistent with Policy CP1- Ensuring Quality Development in St Helens- of the St Helens Local Plan Core Strategy (2012), Saved Policy GEN14- Backland and Tandem Development of the St Helens Unitary Development Plan (1998) in so far as they seek to ensure that new development maintains and enhances the character and appearance of the local environment.

Living conditions

11. The SPD sets out that the 10m guideline is also to ensure that a good level of amenity space is provided for residents. Although I acknowledge that the garden in this case would be wider than it would be deep, the provision of

outdoor space would be restricted by the reduced plot depth. Outlook from the bungalow would also be restricted by the close proximity of the boundary fencing.

12. Moreover, No 199 is two and a half storeys high, with habitable windows on the first floor and a large window facing the garden on the second floor. Whilst I acknowledge that the second-floor room may not be in use as a habitable room, the garden of the proposed bungalow would be overlooked by first floor rooms in both 197 and 199 St Helens Road due to the limited separation distances. Given its limited depth and enclosure, coupled with the sense of being overlooked, the garden would not provide satisfactory outdoor space that future occupiers should reasonably expect to enjoy.
13. I acknowledge that the appellant, who wishes to live in the proposed development, would be content with the garden size as proposed. However, it is my duty to consider the proposal in perpetuity taking account of the acceptability of the outdoor space for future residents. Indeed, the National Planning Policy Framework requires a high standard of amenity for existing and future residents.
14. I note that the appellant considers that the garden of 199 St Helens Road is itself overlooked by the houses on Valencia Grove. However, these properties are a greater distance away from the garden than the appeal proposal would be from the rear elevation of the No 199, meaning that due to the proximity of the buildings there would be more likelihood of overlooking. In addition, the garden to No 199 is considerably more spacious. Accordingly, the context is not directly comparable to that of the proposal before me.
15. The proposal would fail to provide adequate living conditions for future occupiers and would therefore conflict with Policy CP1- Ensuring Quality Development in St Helens of the St Helens Local Plan Core Strategy (2012), Saved Policy GEN14- Backland and Tandem Development of the St Helens Unitary Development Plan (1998) in so far as they seek to ensure that new development does not adversely affect the amenity of occupiers.

Planning Balance

16. I acknowledge that the proposal would enable the appellant to remain living in the area. This is a private benefit of the proposal which attracts limited weight in favour of the proposal. In addition, I agree that the construction of a bungalow would add to the housing mix of the area. However, one additional dwelling would have a limited impact on the housing stock and mix of the area, and this limits the weight I can give the matter. Accordingly, these issues would not outweigh the harm I have found to the living conditions.

Conclusion and Recommendation

17. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR