

Appeal Decision

Site visit made on 23 February 2021

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 March 2021

Appeal Ref: APP/P2365/D/20/3264166

31A Tower Hill, Ormskirk L39 2EE

- 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 Ms Edwards against the decision of West Lancashire Borough Council.
 - The application Ref 2020/0502/FUL, dated 18 June 2020, was refused by notice dated 8 September 2020.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on the character and appearance of the host dwelling and local area, and whether the proposal would preserve the setting of God's Providence Cottage, a Grade II Listed Building.

Reasons

Character and appearance of the host building

3. The appeal site comprises a two-storey, detached dwelling with an attached single-storey garage to one side. The property has previously been extended to the front and rear and features a large set back from the highway. Access is provided via a driveway which adjoins the front garden of God's Providence Cottage. The area is residential in nature and largely comprised of two-storey, red brick semi-detached properties. They are generally regularly arranged and sit comfortably within their plots, resulting in a relatively spacious and harmonious character to the area.
4. The Design Guide Supplementary Planning Document (the SPD) (2008) advises side extensions should generally appear subservient in scale to the existing dwelling, and I note that the appellant does not dispute that is a reasonable consideration. The SPD further guides how extensions should incorporate roof and eaves levels which are lower in height and be positioned 'well back' from the front face of the property, unless this results in an unbalanced appearance.
5. The proposal incorporates a slight set down from the ridge of the host property. However, the eaves are of the same height as the host building while there is very little set back from the front elevation. While the ground floor

footprint of the dwelling would remain the same, the extension would dominate the host building, adding substantial mass while lacking any real subordination. Having visited the site and the surrounding area, I saw how the resultant dwelling would likely appear much larger in scale than that which is typical of the area. This would be exacerbated by its prominence in views from both Tower Hill and Taylor Avenue. While the use of matching materials is appropriate in and of itself, this would not offset harm in this regard.

6. Consequently, the proposal would cause harm to the character and appearance of the host property and the local area. The extension would therefore be contrary to Policy GN3 of the West Lancashire Local Plan Development Plan Document (LP), which seeks to ensure development is of high-quality design and has regard to the SPD.

Whether the proposal would preserve the setting of the Listed Building

7. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving the setting of a Listed Building. In this respect national policy on heritage assets, which includes Listed Buildings, is set out in the National Planning Policy Framework (the Framework). Paragraph 192 of the Framework sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.
8. Dating from the late 17th century, God's Providence Cottage is of simple form and rural character, orientated with its gable end facing the road. The front elevation is finished in sandstone and faces the appeal property. The listed building was historically a modest building, in a rural setting at the fringes of the settlement. Its humble origins are apparent in its materials and architecture also, albeit they have evidently been altered over time subject to changing historic tastes. Whilst I appreciate that the surroundings to the appeal site have been altered over time with residential development, nevertheless such development is generally of a low density with a spacious character as reasoned above. Nearby properties, including No 31A, tend to respect rather than diverge from the modest scale of the listed building.
9. As defined within the Framework, the setting of a heritage asset is the surroundings in which the heritage asset is experienced. As such, a proposed development which could be seen from, or in conjunction with, any heritage assets would potentially affect their setting. Given the close visual inter-relationship of the appeal property and God's Providence Cottage, the former is clearly within the setting of the Listed Building. I note the appellant does not dispute this.
10. The historical maps submitted show that the cottage was isolated from the main part of the settlement until the early 20th century, since which residential development has occurred in the surrounding area. However, I disagree with the appellant's assessment of historic significance, which in summary argues that surrounding development has effaced any contribution of the surroundings of the listed building to its significance.
11. As reasoned above, surrounding residential development is relatively spacious, modest in density and nearby properties tend to respect the scale of God's

Providence Cottage. Moreover, that the surrounding environment has been changed does not justify any and all development, and potentially places more importance on maintaining that openness and coherence of scale which remains (as attesting to the historic origins of the property).

12. In that context, following on from my reasoning that the proposal would represent an incongruous addition to 31A in terms of character and appearance, the proposal would also adversely affect the setting in which God's Providence Cottage is experienced. Whilst I accept that the harm would be limited, nevertheless any harm should require clear and convincing justification.
13. The appeal site is located in close proximity to the cottage and the two buildings are read in context in views from Tower Hill road from where the asset is most readily appreciated. While it would not block views entirely, the resulting size of the appeal property would appear dominant against the more modest scale and form of the Listed Building in these key views and would detract from the setting of the Cottage.
14. Given my findings above that the proposal would be harmful to the character and appearance of the host property and local area, it follows that the extended dwelling would cause harm to the setting of the Listed Building. I note the reference to other properties in the area which have been extended, although I have no information on any of these. Regardless, I am required to assess the proposal on its own merits, and I have considered the development on the basis of the site-specific circumstances and details of this case.
15. In terms of the approach set out in the Framework, due to the scale of the proposal and relationship to its surroundings, the harm to the significance of the heritage asset would be less than substantial. In such cases, harm should be weighed against the public benefit of the proposal in accordance with paragraph 196 of the Framework. However, the benefits of the proposal would be essentially private to the appellant and therefore do not represent clear justification to outweigh the harm.
16. Accordingly, the proposal would fail to preserve the setting of the Listed Building and as such would not meet the statutory requirements of the Act. Furthermore, the development would be contrary to Policy EN4 of the LP, which states development will not be permitted that will adversely affect a Listed Building. The proposal would also be contrary to the Framework, which requires development to sustain and enhance the significance of heritage assets, including their setting.

Conclusion

17. For the above reasons and having had regard to the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR