



Appeal Decision

Site Visit made on 14 September 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 29 September 2021

Appeal Ref: APP/H4315/D/21/3274844

10 Kirkman Fold, Rainhill, Prescot L35 9LU

- 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 David Gibson against the decision of St Helens Metropolitan Borough Council.
 - The application Ref P/2021/0256/HHFP, dated 2 March 2021, was refused by notice dated 11 May 2021.
 - The development proposed is a two storey rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The name of the applicant is given as Mr David Gibson in the original planning application form, but the appellant's details are specified as Mr Michelle Gibson in the submitted appeal form. However, an email has been submitted to confirm that Mr David Gibson is the appellant and I have therefore used his name in the banner heading above.
3. At the time of my site visit the ground floor element of the two storey rear extension was under construction but had not been completed. I have considered the appeal accordingly as seeking part retrospective planning permission.
4. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. The content of the revised Framework has been considered but in light of the facts in this case it does not alter my conclusion.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the dwelling and the surrounding area.

Reasons

6. The appeal relates to one half of a pair of two storey pitched roof semi-detached properties that are located adjacent to the turning head of the Kirkman Fold cul-de-sac. Whilst there is a petrol station and industrial estate nearby, the immediate context is residential and characterised by two storey detached and semi-detached properties of various styles, some of which have been previously extended.
7. I appreciate that design is a subjective matter and that the appeal site is not located in a village setting or an Area of Outstanding Natural Beauty.

Nonetheless, the size and scale of the proposal, in combination with that of the existing rear dormer, which spans most of the width of the original dwelling's rear roof plane, and the varying roof forms, would provide significant additional visual bulk and dominance to the dwelling.

8. The corners of the first floor element of the proposal would be chamfered in order to reduce the impact of the development on the living conditions of the occupiers of 8 and 12 Kirkman Fold. Whilst I acknowledge the appellant's reluctance to configure it in this way, the proposal would consequently have a design and roof structure that would not be characteristic of the dwelling or other nearby properties. As a result, it would appear contrived, and the splayed first floor walls and different roof forms would combine to introduce an awkward and incongruous feature that would cause significant harm to the character and appearance of the dwelling and the surrounding area.
9. Although the proposal would not be readily apparent in the street scene, its discordant nature would be prominent from the rear gardens and first floor windows of several neighbouring houses in the vicinity.
10. As such the proposed development would conflict with Saved Policy GEN8 of the St. Helens Unitary Development Plan 1998. This seeks, amongst other matters, for householder developments to respect the scale, design, character and appearance of the original dwelling, and the character of its neighbours and local setting.

Other Matters

11. The appellant has referred me to a member of the Planning Committee's comments in respect of 'matters of opinion' for a similar planning application in the borough. However, I do not have the full details of that scheme before me and so cannot be certain that the circumstances are directly comparable to those which apply in this case.
12. The appellant questions the accuracy of some of the separation distances referred to in the delegated planning officer report and I note his disappointment in respect of local residents' objections. I have also been made aware of other works that have previously taken place at neighbouring properties, which the appellant states that he has not objected to. However, these are not determining factors in the consideration of this appeal. The question is whether there would be unacceptable harm in respect of character and appearance, even if objections have not been lodged.
13. Furthermore, the appellant's request for advice in respect of what may be acceptable for a two storey rear extension in the future is a matter that would need to be pursued with the Council in the first instance. I confirm that in all of these respects, I have only had regard to the planning merits of the proposal that is before me.

Conclusion

14. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should therefore be dismissed.

Mark Caine INSPECTOR