



Appeal Decision

Site visit made on 28 February 2023

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 7 March 2023

Appeal Ref: APP/D0650/D/22/3311651

265 Hale Road, Hale, Liverpool L24 5RF

- 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 Jason Thornhill against the decision of Halton Borough Council.
 - The application Ref 22/00103/FUL, dated 14 February 2022, was refused by notice dated 11 October 2022.
 - The development proposed is creation of front dormer and rear extension to existing bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Amended plans were submitted during the processing of the planning application that removed the front dormer and reduced the size of the rear dormer. However, the parties did not agree a change to the description and the evidence indicates that the Council considered the original plans including the front dormer. I have determined the appeal accordingly.
3. The appeal site is in the Green Belt. Paragraph 147 of the National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt subject to specific exceptions including Paragraph 149 c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
4. The Council considers that proposals up to a one third volume increase in the size of the original building are acceptable. As the proposal would be within this limit, it would not be disproportionate additions to the building and it would not be inappropriate development in the Green Belt. As it would not conflict with the relevant local and national policies that protect the Green Belt, there is no requirement for me to consider this matter further.

Main Issue

5. Therefore, the main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

6. No 265 is a detached single storey dwelling in a short row of residential properties that includes 2 storey semi-detached and detached single and 1.5 storey dwellings. The dwellings to either side of No 265 have ground floor bay windows in their low front elevations beneath tall steeply pitched gable end roofs with narrow pitched roof dormers in the front roof slopes. No 265 has similar eaves height and bay windows to the neighbouring properties but it differs including in terms of its lower ridge line and its hipped roof.
7. The proposed front dormer would be a wide and tall feature with a pitched roof finishing at the ridge line of the host property. The shallow pitch of the dormer roof would be out of keeping with the main roof pitch and it would be an overly large feature that would dominate the roof. Although it would be set in a similar distance from each side of the roof, it would be offset from and poorly related to the fenestration in the ground floor elevation.
8. The originally proposed rear dormer would have a flat roof. It would be set in from the eaves edge of the roof, but it would meet the main ridge and it would be the full width of the upper part of the roof. It would also extend sideways to wrap around the hip facing No 267. Consequently, it would be an overly large feature that would have an awkward relationship with, and it would unbalance, the roof of No 265. The rear dormer would be a discordant feature that would not respect or relate well to the simple roof form of its host.
9. By virtue of its design, including its shallow roof slope, size, height and siting, the front dormer would be out of keeping and out of scale with neighbouring dormers. The bulky rear dormer with its sideways protrusion would be conspicuous and it would be poorly related to the relatively harmonious roofscapes of the properties to either side. The proposal would not make a positive contribution to local distinctiveness or sense of place.
10. The amended plans would remove the front dormer and the rear dormer would be reduced in size. The roof would also be altered to extend the main ridge, although not to the full width of the property, and to create small gable end features with side facing windows. Viewed from the front, the resulting roof form, although balanced, would have an unusual appearance that would be poorly related to the hipped roof of No 265 and to the full width gable end roofs of neighbouring properties. The amended scheme would be a prominent, conspicuous and incongruous form of development that would harm the visual amenity of the street scene.
11. Therefore, I conclude that the proposal, including amendments, would harm the character and appearance of the appeal property and the area. It would conflict with Policies GR1 and CS(R)18 of the Halton Delivery and Allocations Local Plan Adopted March 2022 in relation to high quality design that is well integrated with its surroundings and that reinforces positive local character and contributes to sense of place. It would also conflict with the guidance in the House Extensions Supplementary Planning Document (December 2006) in relation to dormer extensions.

Other Matters

12. The additional first floor living accommodation would be a benefit to the appellant. However, there is little evidence that similar benefits could not be

delivered by alternate forms of development that would be better in keeping with the appeal property or the surrounding built environment.

13. The parties agree that a rear dormer could be constructed using permitted development (PD) rights. While the appellant's preferred scheme includes both front and rear dormers, and there is little evidence that a rear dormer would be constructed if the appeal should fail, the PD rights may be a valid fallback position. On the basis that a PD scheme would be substantially similar to the proposed rear dormer, it would result in a similar degree of harm to the appeal property and the area. Consequently, as the fallback would not be significantly more harmful than the proposal, it does not provide a justification for a scheme that would result in harm and conflict with the development plan.
14. Properties have been extended elsewhere in the area. Schemes constructed without planning permission do not provide a justification for the appeal. While 20 Town Lane appears dissimilar to the neighbouring properties, it is in a different surrounding context and the evidence suggests that the scheme may have resulted in a more attractive and harmonious dwelling than the former dwelling with its various single storey flat roof extensions. 19 Swynnerton Way includes flat roof dormers, but there is little evidence the approved scheme harms the character and appearance of the property or the area. The tall flat roof rear extension to No 267 is visible in glimpsed views from the road, but it is relatively unobtrusive and it respects the gable end roof form of its host. None of these is demonstrably directly comparable to the proposal and they do not provide a visual context for it. They do not provide a justification for the appeal scheme, which must in any case be considered on its own merits.

Conclusion

15. For the reasons set out above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that would outweigh that conflict.
16. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR