



Appeal Decision

Site visit made on 6 March 2023

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2023

Appeal Ref: APP/H4315/D/23/3314695

134 Broadway, Eccleston, St Helens WA10 5PH

- 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 and Mrs Andrew and Rachel Smith against the decision of St Helens Metropolitan Borough Council.
- The application Ref P/2022/0782/HHFP, dated 10 November 2022, was refused by notice dated 4 January 2023.
- The development proposed is a single storey side extension and side boundary fence.

Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension and side boundary fence at 134 Broadway, Eccleston, St Helens WA10 5PH in accordance with the terms of the application, Ref P/2022/0782/HHFP, dated 10 November 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan; and 1634/SK/201 Rev A except in respect of the garden store door shown on plan 1634/SK/201 Rev A.
 - 3) Notwithstanding condition 2, details of the garden store door and its arrangement in the front elevation of the single storey side extension hereby permitted shall have been submitted to and approved in writing by the local planning authority before the extension is constructed above slab level. The development shall be carried out in accordance with the approved details.
 - 4) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

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

Reasons

3. The proposed single storey side extension along with the existing two storey side extension would take the collective width of side extensions to more than the 3 metres permitted by the Householder Development Supplementary Planning Document (SPD). This would mean that the proposed extension will exacerbate the flank elevation's existing projection beyond the established front building line of properties in Melrose Avenue to the rear. It would therefore reduce the openness of the corner plot, its role in the area, and be contrary to the SPD.

4. Be as that may, Broadway is a relatively wide road that affords properties in the area space. The proposed extension is set back from the corner and the front elevation of the host property. A pitched roof is proposed, and the proposed extension would be viewed as a subordinate addition to the existing dwelling. Moreover, the proposed extension would not project away from the flank elevation of the dwelling by as much as the tall rear garden boundary fence which sits in front of the staggered arrangement of properties on Melrose Avenue to the rear. As such, the proposed extension would not be a prominent addition to this corner plot.
5. Extending the existing flank garden boundary fence further forward would reduce the openness of the corner plot. But the height and position of the existing rear garden boundary fence already affects this, and as the proposed fence will stop part way along the proposed single storey extension, I consider that the openness of this corner plot will not be affected to the extent that it would result in material harm to the character and appearance of the area. In reaching this view, I have had regard to the extension and boundary treatment at 48 Gunning Avenue which affects the openness of this corner plot. The appeal scheme would have a lesser effect than at No 48.
6. I agree with the Council that the proposed extension would unbalance the semi-detached pairing that the appeal property forms part of, but as the neighbouring property links to the next pair of semi-detached dwellings, I do not consider the proposed development to be harmful in this respect.
7. The siting and design of the proposed garden store door would be an awkward design response due to its position hard up against the proposed play room. However, I agree with the appellant that a suitably worded planning condition could overcome this issue so that the extension respects the character and appearance of the area.
8. For these reasons, I conclude that the proposal would not result in material harm to the character and appearance of the area. As such, the proposal would accord with Policies LPD01 and LPD04 of the St Helens Borough Local Plan Up To 2037, which require proposals to respect and / or enhance the character and appearance of the existing dwelling or the surrounding area. Despite the technical conflict with the SPD, the proposal would not undermine its objectives in relation to single storey side extensions on corner plots.

Conditions and Conclusion

9. I have imposed a plans condition in the interests of certainty, though altered this so that details are submitted by way of a condition to overcome the design of the garden store door. This differs to the version suggested by the appellant due to my finding about the siting of the garden store door, but it is necessary so that the extension harmonises with the host property and the wider area. A matching materials condition is necessary for the same reason.
10. The proposal would accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with this. For the reasons given above, I conclude that the appeal should be allowed.

Andrew McGlone

INSPECTOR