



Appeal Decision

Site visit made on 6 March 2023

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th June 2023

Appeal Ref: APP/M0655/W/22/3309639

145 London Road, Warrington, WA4 6LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Gadd against Warrington Borough Council.
 - The application Ref 2022/41107, is dated 2 March 2022.
 - The development proposed is - single storey side extension, two storey rear extension, internal remodelling, associated landscaping.
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Decision

1. The appeal is dismissed and planning permission for single storey side extension, two storey rear extension, internal remodelling and associated landscaping is refused.

Preliminary Matters

2. The Council failed to determine the planning application within the prescribed time period but has stated that had it been able to issue a decision it would have refused planning permission for the reasons stated in the submitted documents and with reference to the development plans policy quoted. I have considered the reasons and the relevant policy in my assessment of this appeal.
3. The Council has pointed out that there are inaccuracies and omissions in the submitted plans especially with regard to boundary treatments, space around the dwelling, retention of trees, plant and equipment for the swimming pool, access and parking provision. Also, I note that the description of development includes landscaping, but no details are submitted. Notwithstanding these omissions, I consider that the submitted plans are sufficient to enable me to assess the proposal.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area.

Reasons

5. No 145 London Road is a traditional Victorian / Edwardian style building constructed in red/brown brick with a gabled, slate roof and chimney stacks. It is a well-proportioned detached double fronted two-storey house with two bay windows at ground floor level. Although the buildings in the area differ in size and design details, No 145 is typical of the properties in the area in terms of its

overall appearance and character and contributes to an overall cohesiveness to the area.

6. It is located on the corner of London Road and Sandy Lane and has been extended to the rear by a two storey outrigger and a single storey extension. It has a front garden with a number of trees grouped closely together and a rear garden adjoining a rear passageway. Vehicular and pedestrian access is from Sandy Lane close to the junction with London Road. A wall of differing heights runs around the London Road and Sandy Lane boundaries. There is a break in the wall where it adjoins the passageway which is temporarily sealed but would allow vehicular access to a concrete surfaced section of the rear garden should this be required. I shall refer to this later.
7. Although this section of London Road is primarily residential in appearance the area comprises a mix of uses. The adjacent property, the locally listed Hillcrest House, is in use as offices with a small development of residential properties behind it. There is a terrace of houses on the opposite side of London Road but the property on the opposite corner of Sandy Lane, 147 London Road, is a children's nursery. No 1 Sandy Lane is a residential property located directly behind the appeal site on the other side of the passageway.
8. The proposal would involve a variety of elements some of which have been designed to reflect features found on other buildings in the area. These include extending the existing ground floor bay windows upwards to include the first floor and pediments above these. Rear extensions can also be seen in the area and the existing rear extensions to No 145 would be demolished and be replaced with the proposed extension. The proposal includes a single storey side extension and I note that the nursery at No 147 has a side extension close to the side boundary with Sandy Lane. No 145 is a brick built house but part of the rear extension includes render. There is also render in the area, most notably to No 1 Sandy Lane.
9. The appellant has incorporated a variety of features into the design of the extensions that when broken down into their component parts can be found in the area and/or represent architectural features of the period. However, the proposal includes a complex and confusing mix of elements that includes raising and altering the roof with the consequent loss of gable and eaves detailing and chimneys, installing a roof terrace together with large areas of glazing at roof level as well as at ground floor level, and significant areas of ground floor and first floor additions of differing form and scale. The complexity of the overall design is further exacerbated by the mix of building materials which as well as brick and slate include white render, timber and zinc cladding, stone cills and black aluminium windows and doors.
10. Notwithstanding that certain design elements and materials can be found in the area, overall, the proposed additions and alterations would result in a discordant appearance and would significantly alter the well-proportioned appearance of the existing house. Although I appreciate that the appellant wishes to refurbish the house, the extent of the proposed works and the totality of their overall impact would fail to reflect the traditional character and appearance of the house. Moreover, the appeal site's prominent location on the corner of London Road and Sandy Lane would result in the discordant and incongruous design of the extensions being highly prominent in the street

scene and thereby would cause harm to the character and appearance of the area.

11. As referred to in my preliminary matters above, the accuracy of the submitted plans has been questioned by the Council and third parties with regard to the proximity of the side extension to the boundary. The single storey side extension would widen the house close to the boundary with Sandy Lane and the space around the dwelling on this corner location would be removed. Whether there would be a small gap or not between the boundary wall and the extension the loss of the space to the side and its replacement with a substantial extension in close proximity to the boundary would in combination with the totality of the scheme result in a significant mass of development that would be overly dominant in relation to the original building and would look harmfully out of place. The precise distance to the boundary is not a factor that has affected my conclusion.
12. I note that the appellant has indicated that conditions would be welcomed in relation to materials and landscaping, but such conditions would not overcome the harm I have identified. I also note that parts of the proposed scheme could be built as permitted development, however there is no evidence that an alternative permitted scheme is a greater than theoretical possibility or that if the appeal is dismissed such a scheme would be pursued.
13. I appreciate that this appeal has been made as the Council did not determine the application within the prescribed time limits and the appellant may have been able to redesign some elements of the proposal had there been greater dialogue with the Council. However, my decision is based on the scheme before me.
14. For the reasons set out above, the proposal would have a harmful effect on the character and appearance of the host dwelling and the surrounding area. It would conflict with Policy QE 7 of the Local Plan¹ which, amongst other things, seeks to reinforce local distinctiveness, enhance the character and appearance of the street scene, local area and wider townscape and harmonises with the proportions and materials of the existing building. These requirements are reflected in the Council's SPD².

Other Matters

15. The appeal site is described by the Council as being in a prominent location on the approach to a Conservation Area but the boundary to the Stockton Heath Conservation Area³ is some distance away from the appeal site. When approaching the Conservation Area from the south it would be necessary to pass the appeal site and the entire row of properties along the eastern side of London Road between Sandy Lane and East Avenue before reaching the boundary of the Conservation Area. I have considered the proposal in the context of the statutory duty under Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and am satisfied that the character and appearance of the Conservation Area would be preserved.

¹ Warrington Borough Council Local Plan Core Strategy, Adopted July 2014.

² Warrington Borough Council House Extensions Supplementary Planning Documents, June 2021.

³ Stockton Heath: London/Grappenhall Rd Conservation Areas, designated in 1988. These appear to comprise of two adjoining Conservation Areas designated at the same time but referred to the Stockton Heath Conservation Area.

16. Hillcrest House, No 143 London Road, is locally listed as the former family home of George Formby. It bears a blue plaque in honour of the entertainer. Its significance as a non-designated heritage asset is this link to its former occupier rather than its architectural or historical characteristics. Notwithstanding my conclusions on the main issue, in my judgement there would be no effect on the significance of No 143 as a non-designated heritage asset.
17. The proposed roof terrace may be of sufficient distance from nearby residential properties, in particular No 1 Sandy Lane, to create minimal overlooking and meet the standard in the SPD but the elevated location of the roof terrace and its prominence would clearly create the perception of overlooking. The properties to the rear of Hillcrest House likewise could experience a sense of overlooking. However, due to the orientation of the properties and the potential for screening, I am satisfied that the proposal would not be unduly harmful to the living conditions of neighbouring properties.
18. With regard to parking provision, the submitted plans show space for just two cars and I note that there are parking restrictions on London Road and Sandy Lane. The Council's standard indicate that three spaces would be required and the appellant has indicated that space could be provided in the rear passageway. This is outside the application site and could not provide dedicated provision. However, there is scope within the site to accommodate additional vehicles from the rear passageway, as referred to above, which could be secured by a condition.
19. There would also be potential noise from plant and equipment associated with the proposed swimming pool which would be located in the single storey extension. However, this too could be conditioned to ensure acceptable noise levels if required.

Conclusion

20. Overall, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed and planning permission is refused.

J D Clark

INSPECTOR