



Appeal Decision

Site visit made on 1 August 2023

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 18 August 2023

Appeal Ref: APP/H4315/W/23/3318705

24 Dunriding Lane, St Helens WA10 4BA

- 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 Mr G Clarke against St Helens Metropolitan Borough Council.
 - The application Ref P/2022/0542/HHFP, is dated 28 July 2022.
 - The development proposed is described as 'Proposed demolition of an existing side conservatory, a single storey rear extension and a detached garage and the construction of a single storey front extension, a single storey rear extension, a linked two storey extension to the rear and side (incorporating new garage) and for the enlargement of the roof by extending the hips out to form gable ends and the addition of extensions to the front and rear elevations'.
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Decision

1. The appeal is dismissed, and planning permission is refused.

Preliminary Matter

2. The appeal follows the Council's failure to determine the application within the prescribed period. However, the Council has indicated in its grounds of appeal, that had it been in a position to determine the application, it would have refused planning permission for reasons relating to character and appearance.

Main Issue

3. From the evidence before me, I consider the main issue to be the effect of the proposed development on the character and appearance of the dwelling and the surrounding area.

Reasons

4. The appeal relates to a detached true bungalow that sits within generous spacious grounds. The surrounding area is predominantly residential, comprising dwellings and bungalows of various size, scale and style.
5. In seeking good design, the Council's Supplementary Planning Document Householder Development (2011) sets out that alterations or extensions to a property should reflect the scale, character, proportions, architectural detail and use of materials on the original property; and should normally be designed so as to appear to be a subordinate addition onto the original dwelling. However, it does not follow that a proposal should stand or fall solely on the application of these standards and each proposal is required to be judged on its own merits.

6. Given the significant set back from the Dunriding Lane highway, and the variety in the built form, I am satisfied that the proposed porch and hip to gable roof extensions, along with the front dormers would not appear conspicuous in the street scene.
7. I appreciate that the existing detached garage is proposed to be removed and that the garage element of the proposal (within the proposed linked side and rear extension) would have a footprint sufficient to accommodate 2 cars, secure cycle parking and domestic storage. In addition, the ratio of the proposed garage's footprint when compared to that of the main dwelling is not something that is uncommon in many residential areas.
8. I am also mindful that the front face of the proposed side extension would align with the rear elevation of the main dwelling and would be set back behind and away from Lyme Grove. These factors, along with the considerable front driveway area, would ensure that an acceptable sense of separation and space between the proposal and this neighbouring property is maintained.
9. Some architectural features of the original building are to be retained and the proposed side extension element of the proposal would have a ridge height slightly below that of the main dwelling. Nonetheless, the linked side and rear extension would still be of a substantial depth and scale, providing significant additional visual bulk to the building. This element of the proposal would also have a number of different roof forms, including the dual gables, the steeply pitched Jerkinhead design, the pitched roof of the single storey element to the rear of the proposed garage, and the part flat roof to the single storey rear extension. Furthermore, the proposed rear dormer would occupy a vast proportion of the proposed dwelling's rear roof plane.
10. All of these factors would combine to create a number of awkward juxtapositions and a top heavy, oversized addition that would not appear subordinate or sympathetic to the size, scale and design of the host dwelling. Whilst some views of it from the public domain would be filtered by mature trees and shrubbery, its form, bulk and massing would still be readily apparent from along Dunriding Lane and a number of neighbouring properties. As a result, the proposal would also introduce a visually intrusive feature into the street scene.
11. I therefore find that the proposal would have an unacceptably harmful effect on the character and appearance of the dwelling and the surrounding area. As such it would conflict with Policies LPD01 and LPD04 of St Helens Borough Local Plan up to 2037, adopted July 2022, (Local Plan). These require, amongst other things, for the character and appearance of the local environment to be maintained or enhanced, and for extensions to respect the character and appearance of the dwelling and the surrounding area, including in terms of scale and design. Conflict would also arise with the design objectives of the SPD.

Other Matters

12. It has been put to me that the Council has relied on general, vague, inaccurate assertions that are unsupported by objective analysis. I also note that the Council has incorrectly referenced some paragraphs within the National Planning Policy Framework and failed to provide copies of Local Plan Policy LPD01 with the appeal. However, I have requested and received a copy of this

policy from the Council and found the evidence within its statement of case to adequately substantiate why it would have refused planning permission, had the application been determined within the relevant period.

13. I am also aware that the design of the scheme was altered following discussions with the Council and withdrawing and resubmitting the planning application. The appellant's disappointment with how the planning application has been handled, in light of staff changes, and the credentials and experience of his agent are also noted. However, these matters have had no bearing on the outcome of this appeal as 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 is therefore dismissed and planning permission is refused.

Mark Caine

INSPECTOR