



Appeal Decision

Site visit made on 14 September 2023

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2023

Appeal Ref: APP/H4315/D/23/3325867

21 The Spires, Eccleston, St Helens, WA10 5GA

- 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 R Dean against the decision of St Helens Metropolitan Borough Council.
 - The application Ref P/2023/0125, dated 24 February 2023, was refused by notice dated 21 April 2023.
 - The development proposed is described on the application form as 'single storey rear extension to form new open plan living, with first floor extension over garage to provide new office/utility at ground floor and bathroom and bedroom with en-suite and dresser at first floor'.
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Decision

1. The appeal is dismissed insofar as it relates to the first-floor front extension and conversion of part of garage to form office/utility room. The appeal is allowed insofar as it relates to the single storey rear extension and planning permission is granted for demolition of the existing conservatory and erection of a single storey rear extension at 21 The Spires, St Helens, WA10 5GA in accordance with the terms of the application, Ref P/2023/0125, dated 24 February 2023, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, insofar as they relate to the single storey rear extension:
 - location plan submitted with application
 - 2261-01 P2 – existing floorplans
 - 2261-02 P2 – existing elevations
 - 2261-03 P5 – proposed floorplans
 - 2261-04 P5 – proposed elevations.
 - 3) The materials to be used in the construction of the external surfaces of the rear extension hereby permitted shall match those used in the existing building.

Preliminary Matters

2. In its decision notice, the Council has used a revised description of development, which provides a clearer and more accurate description of the development than that used on the original application form, particularly in relation to the changes sought to the garage. I have therefore determined this appeal on the basis of the description used in the decision notice.

3. Although included within the same original application, the appeal proposal includes two elements which are capable of being separated. The proposed single storey rear extension could be constructed and used as intended without the proposed alterations and extensions to the garage. I have therefore assessed the proposal as having two discrete elements, and have determined the appeal accordingly.

Main Issues

4. The main issues are (i) the effect of the proposal on the character and appearance of the area, and (ii) the effect on the living conditions of the occupiers of 23-27 The Spires, with particular regard to outlook and overshadowing.

Reasons

Character and appearance

5. The Spires is a recent development which consists predominately of two storey detached houses, with several groups of two/three storey town houses at the head of the cul-de-sac. Properties along The Spires display a variety of designs, but all are of red brick and tile construction and have a similar style of fenestration, giving an overall impression of consistency.
6. Many of the houses have integral garages, but the attached double garage at the appeal property (No. 21) differs from others in the street, in that it projects from the front elevation at a right angle, so the house appears to form an L-shape when viewed from the road. The large double garage of No. 21 faces down the street, and although it is set back from the road and is viewed in the context of the three-storey building to the rear, it nonetheless forms a prominent feature in the street-scene.
7. The proposed first floor front extension would be constructed above the existing garage, occupying its full length and width. Such a large addition to the front of the building would appear out of scale with the original house, to the extent that it would visually compete with the main front elevation.
8. I acknowledge that other properties in the street have upper floors above their garages, but where this is the case, the first-floor elements are generally set back from the ground floor elevation, and are separated from the garages below by shallow sections of roof. This design feature, which is repeated throughout The Spires development, has the effect of making the upper floor elements appear recessive in relation to the main front elevations. In contrast, the proposed front extension at No. 21 would follow the existing footprint of the garage, with no set back at first floor level. Although the proposed ridge height would be below that of the main roof, the proposed extension would not appear subservient to the main dwelling, which is a requirement of the Householder Development Supplementary Planning Document 2011 (SPD).
9. Furthermore, the proposed use of a light coloured render to the first floor extension would appear out of place in this street, which is characterised by red brick houses. The use of a light colour would draw additional attention to the proposed extension, further accentuating the prominence of No. 21 within the wider street-scene to a harmful extent. In addition, the full height glazed panel above the front door, and long, shallow opening on the end elevation of the garage, would appear at odds with the style of fenestration displayed in

this street. These factors would compound the harm to the character of the existing dwelling and wider street-scene that the proposal would cause.

10. The appellant has drawn my attention to the two-storey extension which has been constructed at 9 The Spires. That property is located in a prominent corner location, but is of a different design to No. 21, and the side extension is set back from the front main elevation. Although the extension at 9 The Spires is sizeable, it appears subservient when viewed from the front, which would not be the case in the appeal scheme.
11. For the reasons set out above, the proposed first floor front extension and alterations would cause significant harm to the character and appearance of the area. It would conflict with Policy LPD04 of the St Helens Borough Local Plan, which amongst other things requires that extensions respect and/or enhance the appearance and character of the existing dwelling and surrounding area in terms of scale, size, design and facing materials.
12. The proposed single storey rear extension, which would replace the existing conservatory, would not fully comply with the SPD, which advises that flat roofed extensions will generally not be permitted. That said, whilst it would be visible from surrounding houses and the turning head of The Spires, it would not be a prominent feature in the streetscene, and its effect on the character and appearance of the area would be very limited. As such, this element of the scheme would be acceptable. In respect of the single storey rear extension, I have identified no conflict with the requirements set out in Local Plan Policy LPD04 relating to character and appearance.

Living conditions

13. The group of two/three storey town houses at 23-27 The Spires (Nos. 23-27) back onto the side of No. 21, separated by fairly short rear gardens. The rear wall of the garage at No. 21 is close to the shared boundary, with a narrow passageway between.
14. Above the existing boundary wall, the pitched roof of the existing garage at No. 21 will be seen from the rear gardens and windows of Nos. 23-27, sloping away. As a result of the proposed development, this would be replaced by a solid wall, very close to the shared boundary. The additional height and bulk of the extension, so close to the end of the rear gardens, would significantly increase the sense of enclosure to these spaces. For those using the rear gardens, the first floor extension would appear overly dominant and overbearing.
15. The siting of No. 21, to the north-east of Nos. 23-27, means that the proposed first floor extension would not result in unacceptable loss of sunlight or overshadowing to those neighbouring properties. Even so, owing to its the overbearing impact, the proposed first floor extension would result in unacceptable harm to the living conditions of the neighbouring occupiers at Nos. 23-27 in terms of outlook. Consequently, in relation to this element of the scheme, there would be conflict with Local Plan Policy LPD04, which requires that extensions would not have an overbearing or over-dominant effect on the outlook from any habitable rooms or gardens in any neighbouring dwelling.
16. The proposed rear extension would be slightly deeper and bulkier than the existing conservatory, but as it would be single storey and set back from the

shared boundary, the effect of the living conditions of neighbouring occupiers would be acceptable. The proposed single storey rear extension would be consistent with the requirements of policy LPD04.

Other Matters

17. The appellant has commented that the reasons for refusal were subjective and that the scheme did not breach any factual guidelines, but in assessing factors such as character and appearance there will always be an element of planning judgement. In this case I have found that the proposed extensions and alterations to the garage would conflict with relevant policies and guidance, for the reasons set out. In refusing the application, the Council applied its policies and guidance correctly.
18. However, whilst the proposed extensions and alterations to the front of the property would cause harm for the reasons given, the proposed single storey rear extension would be acceptable. I am able to issue a split decision, so have therefore allowed that element of the scheme, which complies with the relevant development plan policy.

Conditions

19. As well as the standard timescale for commencement of development, I have specified the approved plans for the avoidance of doubt. A condition relating to materials is also necessary to ensure that the appearance of the rear extension would be satisfactory.

Conclusion

20. For the reasons given I conclude that the appeal should be allowed insofar as it relates to the single storey rear extension, but dismissed insofar as it relates to the first-floor front extension and alterations to the garage.

R Morgan

INSPECTOR