

Appeal Decision

Site visit made on 12 December 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th January 2024

Appeal Ref: APP/M0655/D/23/3331946

41 Brook Drive, Great Sankey, Warrington WA5 1RY

- 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 Angelo Trapasso against the decision of Warrington Borough Council.
 - The application Ref 2023/00115/FULH, dated 12 January 2023, was refused by notice dated 15 August 2023.
 - The development proposed is landscaping to the side and front of the house, involving levelling the garden, increasing the height at the edges (furthest from the house) by more than 300mm, building a retaining wall, rebuilding the steps leading to the front door of the house and moving the off street parking from the side to the front of the house.
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Decision

1. The appeal is allowed and planning permission is granted for landscaping to the side and front of the house, involving levelling the garden, increasing the height at the edges (furthest from the house) by more than 300mm, building a retaining wall, rebuilding the steps leading to the front door of the house and moving the off street parking from the side to the front of the house at 41 Brook Drive, Great Sankey, Warrington in accordance with the terms of the application, Ref 2023/00115/FULH, dated 12 January 2023, subject to the following conditions:
 - 1) The development hereby permitted relates to the following approved plans: 00757621-A0CFB5; 011222/3 Rev A; 011222/1 Rev A; and 011222/2 Rev A.

Main Issue

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

Reasons

3. Works have been carried out to this property to relocate the parking space and alter the previously sloping lawn to the side and front garden. This has involved the use of brick retaining walls to manage the level changes. Although the appearance of the surrounds of the house are currently quite stark, this would be significantly changed once landscape planting has been undertaken. The walls that adjoin the footpath are not overly high and although they present a more formal appearance than previously, the works are not out of keeping. The
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use of brick walling is not uncommon in this area and the terraced sections will allow for better landscape management. The council has a preference for the previous low retaining wall and sloping lawns. However, this revised arrangement also represents a good standard of design that would not result in harm to the character or appearance of the area and would offer opportunities for enhanced landscaping.

4. The reason for refusal refers to the design elements of policies CS1 and QE7 of the Warrington Local Plan Core Strategy 2014. This has now been replaced by the Warrington Local Plan 2021/22 - 2038/39 which was adopted in December 2023. Policy DC6(1)(a&b) seeks development that respects, sustains and makes a positive contribution to local character and distinctiveness; and contributes positively to the public realm. I do not find conflict with these design objectives. The works do not conflict with the *National Planning Policy Framework* 2023 as this development is likely to function well and has the potential to add to the overall quality of the area.
5. The raised height of the wall is not considered by the council to be a safety issue with regard to vehicle movements and given the nature of this road, I agree with this assessment. Any safety concerns with regard to the use of this area would be a matter for the appellant to resolve as part of the wider management and use of the garden. Whilst I have had regard to the views put forward by the council and third parties, I am not satisfied that there are any matters that weigh significantly against the proposal. I therefore allow the appeal.
6. As the works have already taken place, a commencement condition is not necessary. I have included a condition making reference to the details of the approved plans for the avoidance of doubt and in the interests of proper planning.

Peter Eggleton

INSPECTOR