



Appeal Decision

Site visit made on 04 July 2024

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th July 2024

Appeal Ref: APP/H4315/D/24/3344611

Rosewood, Stonecross Drive, Rainhill, St Helens L35 6DD

- 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 Mrs Lisa Clarke against the decision of St Helens Metropolitan Borough Council.
 - The application Ref is P/2024/0101/HHFP.
 - The development proposed is described as a garage conversion, erection of front porch, replacement boundary wall and rendering to property
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Decision

1. The appeal is dismissed insofar as it relates to the construction of boundary E.
2. The appeal is allowed insofar as it relates to the remainder of the application, and planning permission is granted for a garage conversion, erection of front porch, the erection of boundaries A, B, C, D and F, and the rendering of the property at Rosewood, Stonecross Drive, Rainhill, St Helens L35 6DD in accordance with the terms of the application, Ref P/2024/0101/HHFP, so far as relevant to that part of the development hereby permitted, 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 as they relate to the works for the garage conversion, the erection of a porch, the construction of boundaries A, B, C, D and F, and the rendering of the property. The plans are referenced:

Location Plan

A101 – Existing Floor Plans

A102 – Existing Elevations

A103 – Existing Site Plan

A104 – Existing Wall

A105 – Proposed Elevations

A106 – Proposed Plans

A107 – Proposed Side Elevations

A108 – Proposed Wall

A109 – Proposed Site

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as detailed in the application.

4) No development relating to the construction of boundary F shall commence until a full specification of the proposed tree/hedge planting, to be provided behind that boundary, has been submitted to and approved in writing by the local planning authority. The specification shall include the quantity, size, species, and positions or density of all trees/hedges to be planted, how they will be planted and protected, and the proposed time of planting. The tree planting shall be carried out in accordance with the approved specification.

5) If, within a period of five years from the date of planting, any tree/hedge (or any tree/hedge planted in replacement for it) is removed, uprooted, destroyed or dies or becomes seriously damaged or defective, another tree/hedge of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree/hedge unless the local planning authority gives its written consent to any variation.

Procedural Matters

3. In the banner above I have taken the description of development from the Council's decision notice as it more accurately reflects the development proposed. However, I have removed wording which is not an act of development. For clarity, references to specific boundaries within this decision have been taken from the plans before me.
4. The appeal relates to a garage conversion, the construction of a porch, rendering of the property and the erection of various boundaries. However, the application was refused permission by the Council due to concerns relating to the construction of boundaries C and E only.
5. The proposed alterations to the dwelling itself are modest in scale and extent. The porch would appear visually subservient while the proposed rendering would reflect other rendered properties within the street scene. The garage conversion would introduce a window which is of similar proportions to the existing opening.
6. Boundary A, would address an area of open space, and would not be unduly prominent in this context. Boundary B would be sited adjacent to Mill Lane, and would replace an existing tall wall and as such would not significantly alter the character of the street. Boundary F, which would be sited adjacent to Stonecross Drive, would include planting between the brick pillars and would relate visually with the boundary treatment opposite. However, this would be subject to the landscaping shown to this boundary being delivered, which could be secured by condition. Boundaries D, are located within the site and would not be prominent on the street scene.
7. The modest nature of the alterations to the dwelling, and distance of these developments from neighbours, is such that they do not give rise to any significant concerns regarding living conditions.

8. Therefore, I am satisfied that the works to the dwelling, and boundaries A, B, D and F, would be acceptable with regard to the character and appearance of the area and the living conditions of neighbouring occupants. I am therefore in agreement with the Council's findings in this regard.

Main Issue

9. The main issue is the effect of boundary C and boundary E on the character and appearance of the area.

Reasons

10. Rosewood is a large detached dwelling which is located at the junction of Mill Lane and Stonecross Drive. Rosewood occupies a slightly elevated position and as such, it is prominent on the streetscene. The stretch of Mill Lane at the junction with Stonecross Drive is characterised by solid and tall brick or fenced boundaries. On the opposite side of the street, to the front of No.2 and No.4 Stonecross Drive, tall boundaries continue, although the upper parts of these boundaries either include railings or hedging between brick pillars. Further into Stonecross Drive, the character of the street changes with roadside boundaries becoming less prominent. The frontages opposite Rosewood, on Sandstone Close, generally comprise low-level landscaping and have an open character.
11. Boundary E would be located adjacent to Sandstone Close where the character is distinctly different with the prevailing roadside frontages being more open and landscaped. Boundary E would comprise a tall brick wall and pillars, with its upper part finished with close board fencing. The height and position of the boundary would be visually prominent and would create a hard edge to the street, contrasting markedly with the general sense of openness provided by the absence of any prominent or tall boundaries. The starkness of the boundary would be exacerbated further by the lack of any intervening landscaping between the boundary and street, or between the brick pillars. As such, boundary E would erode the visually open character of this street.
12. I acknowledge that the use of slat fencing to the upper part of the boundary has been suggested. However, the fencing is only a small part of the proposed boundary and even if slat fencing were to be installed the boundary would remain a tall, hard edge that significantly contrasts with the openness of the street. Therefore, I do not consider that this would be a sufficient design solution to soften the effects of boundary E.
13. Boundary C would be positioned at the corner of the site close to the junction of Mill Lane and Stonecross Drive. The boundary would abut the tall Mill Lane wall (boundary B), albeit its height would be set down by some distance. Further into Stonecross Drive, the boundary wall, at boundary F, would step down again.
14. The overall length of Boundary C is not significant. The boundary would be sited on the curve of the junction, although its orientation would face more towards Mill Lane than Stonecross Drive. As such boundary C would be predominantly viewed in the context of, and as a continuation to, the taller boundary B. The step down in height would enable the cumulative boundary to appropriately address the changes in land levels from Mill Lane into Stonecross Drive. The height of boundary C would also be viewed in the context of

Rosewood which would be positioned at a higher level behind the boundary, and would remain prominent in views towards the site from Mill Lane. Furthermore, cumulatively, the boundaries would harmonise with the tall boundary treatment on the opposite side of Stonecross Drive. While the design would not be identical to No.2 or No.4, the general sense of scale would be similar, and the boundary would help to create a balanced sense of arrival into the street.

15. For the above reasons, boundary C would not be harmful to the character or appearance of the area. However, I find that boundary E would have a demonstrably harmful effect on the character and appearance of the area. Therefore, boundary E is contrary to Policy LPD04 of the St Helens Borough Local Plan Up To 2037 (2022). This, amongst other things, requires householder development to respect the character of the surrounding area.

Conditions

16. I have imposed standard conditions relating to the commencement of development, and to require compliance with the submitted plans for certainty. A condition requiring the development to be constructed from materials as detailed within the application is necessary in the interests of the main issue. Conditions relating to details and implementation of landscaping for boundary F to be provided, along with a condition for the replacement of any approved landscaping, are necessary to ensure that the development harmonises with its surroundings.

Conclusion

17. For the reasons given above the appeal should be allowed in part and dismissed in part.

D Cleary

INSPECTOR