



Appeal Decision

Site visit made on 22 July 2024

by L C Hughes BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2024

Appeal Ref: APP/D0650/W/24/3341535

132 Halton Road, Halton, Runcorn WA7 5RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Shirley Shum against the decision of Halton Borough Council.
 - The application Ref is 23/00163/FUL.
 - The development proposed is proposed pair of semi-detached dwellings at 132 Halton Road Runcorn, with new vehicular entrance and widened dropped kerbs.
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Decision

1. The appeal is allowed and planning permission is granted for proposed pair of semi-detached dwellings with new vehicular entrance and widened dropped kerbs at 132 Halton Road, Runcorn WA7 5RW in accordance with the terms of the application, Ref 23/00163/FUL, subject to the conditions in the attached schedule.

Main Issue

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

Reasons

3. The appeal site lies in a predominantly residential area, on a vacant, cleared garden space. There are a number of commercial properties nearby, including a convenience store and a public house, located on the opposite side of Halton Road. The proposal would see the development of a pair of two-storey semi-detached dwellings, with space for off-street parking, along with bin and cycle storage.
4. There is no objection to the principle of residential development at the site. The Council's concern relates to the design of the proposed development. In particular, concerns relate to the front pediments of the proposal, which the Council considers would be over dominant and would be detrimental to the character and appearance of the surrounding area.
5. Whilst there are no other properties along Halton Road in the vicinity which have similar protruding front pediments, the surrounding area has a variety of housing types, ages, designs and sizes. Houses in the immediate vicinity are semi-detached and detached, with older terraced properties and a new residential development currently under construction in the surrounding area. The eclectic and diverse mix of house types and designs adds to the character of the area.

6. Whilst the pediments would be visible from public vantage points, the dwellings would be viewed in context with the wider street scene, whereby a mix of building styles and large porches and bay windows to the front of properties are a characteristic feature of the area. Although the pediments would be larger and project further than surrounding bay windows and front porches, I consider that they would not be incongruous and would be commensurate with the overall size of the dwellings. Whilst not typical in relation to surrounding properties, the lack of uniformity between dwellings in Halton Road would ensure that this design feature would not disrupt a consistent pattern of development, but would add to the varied mix of house types and architectural features within the street scene, thus contributing to local distinctiveness.
7. The proposed dwellings would be set back from the immediate neighbouring property at number 132 Halton Road. Due to the angle of the plot the proposed dwellings would have a slightly different orientation to the neighbouring semi-detached properties, numbers 136 and 138. The positioning of the proposed dwellings within the plot would therefore help to ensure that the pediments do not appear as over dominant in relation to other properties, the building line and the overall street scene.
8. Consequently, I consider that the proposed development would not harm the character and appearance of the surrounding area. The proposal would therefore comply with Policies GR1 and GR2 of the Halton Delivery and Allocations Local Plan 2022 which seek to ensure that development is high quality, has a clear understanding of the site's characteristic and the surrounding area, is well integrated with surrounding buildings and avoids detriment to the living environment of residential properties. The proposal would also accord with guidance contained within the Design of Residential Development Supplementary Planning Document 2012 which seeks to ensure that residential development responds positively to the character and identity of Halton's surroundings. Furthermore, it would accord with the National Planning Policy Framework which highlights that development should be sympathetic to local character, including the surrounding built environment.

Other Matters

9. Interested parties have raised concerns regarding the effect of the proposal on highway safety, congestion and car parking. However, sufficient off-street parking is proposed and adequate visibility splays would be achieved. Whilst the proposed dwelling would be sited near to the junction with Ashley Road, I note that the Highways Authority did not object to the application. From the evidence before me and my observations on site I see no reason to disagree.
10. Concerns have been raised regarding overshadowing of neighbouring properties. However, due to the siting and layout of the proposal, I am confident that adequate separation distances between the proposal and neighbouring dwellings can be achieved, and that there would not be a harmful loss of natural light to neighbouring properties as a result of the proposal.
11. I acknowledge the concerns from interested parties regarding drainage issues. I am satisfied that appropriate drainage and surface water measures to minimise flood risk can be secured by condition for the proposed development.
12. I have no substantial evidence before me to indicate that the internet connection would be adversely impacted by the proposal.

Conditions

13. I have considered the conditions suggested by the Council, having regard to the Planning Practice Guidance on conditions. For the sake of clarity, I have amended the conditions as necessary. In addition to the standard commencement condition, I have attached a condition specifying the approved plans in the interest of certainty (conditions 1 and 2).
14. The appellant has confirmed their agreement to a pre-commencement condition (condition 3) which ensures that risks from land contamination to future users of the land and neighbouring land are minimised. This is necessary prior to development to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
15. I have included conditions requiring the submission of samples of external materials, as well as details of hard and soft landscaping and boundary treatments. These conditions are necessary to protect the character and appearance of the area (conditions 4, 5, 6 and 7).
16. I have added condition 8 to ensure the implementation of suitable drainage provision. Condition 9 relates to access and parking and is included in the interests of highway safety. Conditions 10 and 11 are necessary to ensure that there is no risk to priority species or habitats. I have attached condition 12 regarding the timing of construction work, in order to protect the living conditions of neighbouring occupants.

Conclusion

17. For the reasons given above the appeal should be allowed.

L C Hughes

INSPECTOR

SCHEDULE OF 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 drawing numbers WA7 5RW LA132 01; WA7 5RW LA 132 02; WA7 5RW LA 132 03 Rev B; WA7 5RW LA 132 04; WA7 5RW LA 132 05 Rev A; WA7 5RW LA 132 BS.
- 3) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM) has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:
 - i) a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
 - ii) the site has been remediated in accordance with the approved measures and timescale; and
 - iii) a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

 - i) additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
 - ii) a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 4) No development above ground level shall take place until samples or details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details or samples.
- 5) No development above ground level shall take place until details of hard landscaping works has been submitted to and approved in writing by the local planning authority. The details shall include written specifications of all materials to be used for hard landscaping. Once approved, the hard landscaping shall be carried out as approved prior to occupation of the dwellings.
- 6) Before the development is first occupied, the landscaping works (drawing no. WA7 5RW LA132 05 Rev A) shall be carried out in accordance with the agreed details. Any planting, which within a period of 5 years of implementation dies, is removed or becomes seriously damaged or diseased shall be replaced during the next planting season at the same place with others of a similar size or species unless the local planning authority gives its written consent to any variation.

- 7) No development above ground level shall take place until details indicating the positions, design, materials and type of boundary treatments to be erected for the site has been submitted to and approved in writing by the local planning authority. Once approved, the boundary treatment shall be carried out as approved prior to occupation of the dwellings.
- 8) Prior to the first occupation of any part of the development hereby permitted, drainage plans for the disposal of foul sewage and surface water shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to occupation of the dwellings.
- 9) The development hereby permitted shall not be occupied until the vehicle access, service and parking spaces have been provided in accordance with drawing no WA7 5RW LA 132 03 Rev B. Thereafter the parking spaces shall be retained for the parking of vehicles only.
- 10) Prior to the first occupation of the development hereby permitted, details of bat boxes and bird boxes, to include number, type and location on an appropriately scaled plan as well as timing of installation, shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved details prior to occupation of the dwellings.
- 11) No vegetation management or ground clearance shall take place between 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all vegetation shall be checked first by an ecologist to ensure that no breeding birds are present. If present, details of how they will be protected shall be submitted to and approved in writing by the local planning authority, and the protection plan shall be implemented in accordance with the approved details.
- 12) Demolition or construction works shall take place only between 07.30 - 19.00 on Monday to Friday and 07.30 – 13.00 on Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.

*****END OF SCHEDULE*****