
Appeal Decision

Site visit made on 11 October 2016

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25th October 2016

Appeal Ref: APP/M0655/D/16/3157567

37 Elm Tree Road, Lymm, Warrington, WA13 0NJ

- 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 Benson against the decision of Warrington Borough Council.
 - The application Ref 2016/27941, dated 21 April 2016, was refused by notice dated 27 June 2016.
 - The development proposed is a side and rear 2 storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development, firstly, on the character and appearance of the host property and the surrounding area, and secondly, on the living conditions of No 2 Oaklands Drive with regard to overlooking and a loss of privacy.

Reasons

Character and appearance

3. The appeal property is a detached house located on the corner of Elm Tree Road and Oaklands Drive. It is an attractive period property, with an existing single storey side extension incorporating a garage. Elm Tree Road is characterised by large detached properties most of which are in a similar style to the appeal property. There is an extant permission for a smaller two-storey side extension, approved in March 2016.
 4. The proposed extension would be large in comparison to the existing property. It would substantially increase the width of the house at both ground and first floor level and would significantly alter its appearance. The proposed increase in width, in combination with the design of the extension, would unbalance the appearance of the property. The extension would appear excessively dominant in relation to the host property and it would undermine its character. The proposed gablet would also introduce an alien feature to the front elevation. Whilst the property is screened by existing trees in more distant views along the road, there is only limited screening along the frontage. The extension would therefore be clearly visible from the street. It would be significantly more harmful than the existing single storey extension, which is both subordinate in scale and of a more sympathetic design.
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5. The proposed extension would mirror some of the features of the existing dwelling, including the materials, apex roof and proposed chimney. However, these features would not mitigate the harm I have identified above.
6. Whilst the proposal would not be substantially larger than the approved extension, its design would be significantly more harmful. In particular, the approved extension includes a reduced width at first floor level that ensures that it is subordinate to the host property. Its design is also more sympathetic and it omits the gablet feature. Separately, there are no plans before me for an alternative scheme that could be built under permitted development rights that would satisfy the appellant's requirements. I cannot be certain therefore that this represents a realistic alternative in this case.
7. A number of extensions to properties in the local area have been brought to my attention. However, these are not directly comparable to the appeal proposals for a number of reasons. The extensions along Oaklands Drive are to properties that are of post-war construction and of a very different design to the appeal property. Furthermore, the extensions to properties along Elm Tree Road are different to the appeal proposal in terms of their design and the impact on the host property.
8. I conclude that the development would unacceptably harm the character and appearance of the host property and the surrounding area. It would therefore be contrary to Policy QE7 of the Warrington Local Plan Core Strategy (2014), and guidance contained within the House Extensions Supplementary Planning Guidance (SPG). It would also be at odds with the National Planning Policy Framework which seeks to secure good design.

Living Conditions

9. The rear first floor window in the proposed extension would face first floor windows in No 2 Oaklands Drive. At the closest point, the distance between the properties would be approximately 16 metres.
10. There are three first floor windows to No 2 that would be visible from the rear of the proposed extension. Of these, the two nearest windows are obscurely glazed. There would therefore be no undue impact on the privacy of the occupants of these rooms. The third rear window to No 2, which appears to serve a bedroom, is the furthest from the proposed extension. It is also angled obliquely to the appeal property, which would significantly reduce any loss of privacy to this room. Despite the difference in levels between the properties, these factors would ensure that any loss of privacy would be modest and not unduly harmful in this case.
11. I conclude that the development would not unacceptably harm the living conditions of No 2 Oaklands Drive with regard to overlooking and a loss of privacy. It would therefore be in accordance with to Policy QE6 of the Warrington Local Plan Core Strategy (2014).

Conclusion

12. For the reasons set out above, I conclude that the development would unacceptably harm the character and appearance of the area. Whilst there would be no unacceptable harm to living condition of No 2 Oaklands Drive, this does not alter my view that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR