

Appeal Decision

Site visit made on 6 December 2016

by Y Wright BSc (Hons) DipTP DMS MSc MRTPI

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

Decision date: 9 December 2016

Appeal Ref: APP/M0655/D/16/3161621

62 Coppice Green, Great Sankey, Warrington, Cheshire WA5 7WA

- 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 A Heath against the decision of Warrington Borough Council.
 - The application Ref 2016/28836, dated 14 August 2016, was refused by notice dated 14 October 2016.
 - The development proposed is first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 82 Coppice Green as regards overlooking and privacy.

Reasons

3. The detached two storey double fronted dwelling is located at the end of a cul de sac on a modern residential estate. The property backs on to the rear gardens of No 82 and No 84 Coppice Green. There is an existing single storey extension to the rear of the property. The proposal would extend development at first floor level to match the depth and width of this existing extension.
 4. Policy CS1 of the Warrington Borough Council Local Plan Core Strategy (2014) (CS) seeks sustainable development that, amongst other things, safeguards residential amenity. CS Policy QE6 supports development that would not lead to an adverse impact on the amenity of occupiers of adjoining or neighbouring properties. The Council's Supplementary Planning Guidance 2 – House Extensions Guidelines (2003) (SPG) states that any extension should respect the privacy of adjoining occupiers and adequate separation distances should be maintained. The SPG specifically states that '*principal windows on an extended property should be not less than 21 metres from any others to ensure reasonable privacy...*'.
 5. I am also mindful that the National Planning Policy Framework (the Framework) seeks, amongst other things, to secure a good standard of amenity for all existing occupants of buildings.
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6. I saw on my site visit that No 82 Coppice Green is set further back in its plot and is closer to the appeal property compared to its neighbours at No 80 and No 84.
7. Based on the evidence that is before me, the proposal would result in a first floor bedroom being about 19.8 metres from the habitable rooms of No 82. This would be less than the 21 metres between habitable rooms, which would increase levels of overlooking and reduce privacy for the occupiers of this property. I consider that this would result in a negative impact on their living conditions, particularly in relation to how they might use their rear garden and rear habitable rooms. In reaching this conclusion I have considered the Appellant's plan no AH/2016/10/1 but as this does not provide a measurement to the habitable rooms of No 82, an adequate separation distance has not been demonstrated.
8. Although concerns have been raised regarding the effect of the development on shading of neighbouring gardens, I have no substantive evidence that the extension would be materially harmful in this regard. Furthermore I note that the Council does not object to the proposal on these grounds and I have no reason to disagree. However this does not outweigh the harm I have identified above.
9. Consequently I conclude that the proposal would not maintain an adequate separation distance between habitable rooms and as such this would result in material harm to the living conditions of the occupiers of No 82 Coppice Green in relation to overlooking and privacy. The proposal would therefore conflict with the Framework, CS Policies CS1 and QE6 and the SPD.

Conclusion

10. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Y. Wright

INSPECTOR