

Appeal Decision

Site visit made on 20 December 2016

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 23 December 2016

Appeal Ref: APP/M0655/D/16/3158409

12 Mitton Close, Culcheth and Glazebury, Warrington, WA3 4EU

- 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 and Mrs Holt against the decision of Warrington Borough Council.
 - The application Ref 2016/28233, dated 7 June 2016, was refused by notice dated 18 August 2016.
 - The development proposed is two storey front and rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for two storey front and rear extensions at 12 Mitton Close, Culcheth and Glazebury, Warrington, WA3 4EU in accordance with the terms of the application, Ref 2016/28233, dated 7 June 2016, subject to the following conditions.
 - 1) The development hereby permitted shall begin no 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: 16MH -PL-03A and -04A.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs was made by Mr and Mrs Holt against Warrington Borough Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed extensions on the living conditions of the occupiers of neighbouring properties with particular regard to outlook and privacy; and the living conditions of the occupiers of the appeal property with regard to amenity space.

Reasons

4. The appeal site is a detached dwelling within a housing estate. The 2-storey rear extension would be visible from the rear windows of numbers 6 and 8 Mitton Close which back onto the appeal site.
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5. That said, according to the Council's House Extension Guidelines (HEG), a minimum distance of 13m should be maintained between a habitable room window and a directly facing gable end (i.e. an elevation without a window). The side of the rear extension would not directly face the windows of No 8 and the distance between the windows of this neighbouring dwelling and the proposed extension would be around 15m. The side elevation of the extension would also be some distance from the rear garden boundary of No 8. The garden of No 8 is of a substantial length and depth and given the separation distance between the extension and the garden boundary, I do not consider that the extension, at some 3m in depth, would have a dominant effect upon the outlook from this garden. The proposed windows in the rear elevation would not directly face No 8 and therefore there would be no material effect upon the privacy of this adjoining property.
6. The proposed rear extension would not be directly opposite No 6 and would be even further away from No 6 than from No 8. Therefore, the impact upon the outlook from the windows of this property would be even less than from the windows of No 8. There would be first floor windows in the rear elevation of the extension but a distance of 10m would be maintained to the rear boundary which is also the side boundary of No 6. I consider this to be sufficient distance to avoid undue overlooking of the garden of No6.
7. The appeal house has a decent sized rear garden and I consider that sufficient space would remain around the house to provide adequate private amenity space for its occupants. I have no substantive evidence to the contrary. Furthermore, there is a large front garden and given the overall generous size of the plot, I do not consider that the extensions would represent overdevelopment or look out of place within the street-scene. The appeal site is close to the Culcheth (Newchurch) Conservation Area but I find the design of the proposals to be acceptable so I do not consider that the extensions would affect the setting of this conservation area.
8. For the above reasons, I conclude that the proposed extensions would not harm the living conditions of either the occupiers of neighbouring properties or the occupiers of the appeal dwelling. Consequently, I find no conflict with Core Strategy Policies CS1, QW6 and QE7 of the Warrington Local Plan Core Strategy (CS); the HEG or paragraphs 17 and 56 of the National Planning Policy Framework which, in combination, seek to ensure high quality design which safeguards the amenity of neighbours.
9. I have considered all other matters raised, including the representations from interested parties, but none outweigh the conclusions I have reached and the appeal is allowed subject to the conditions.

Siobhan Watson

INSPECTOR