
Appeal Decision

Site visit made on 10 January 2017

by V Lucas-Gosnold LLB MCD MRTPI

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

Decision date: 20 January 2017

Appeal Ref: APP/M0655/D/16/3162102

Greystone Cottage, 42 Chapel Road, Penketh, Warrington, WA25 2NP

- 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 R Wall against the decision of Warrington Borough Council.
 - The application Ref 2016/28468, dated 12 July 2016, was refused by notice dated 6 October 2016.
 - The development proposed is single storey side and two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side and two storey rear extension at Greystone Cottage, 42 Chapel Road, Penketh, Warrington, WA25 2NP in accordance with the terms of the application, Ref 2016/28468, dated 12 July 2016, 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: Location Plan; Drawing Nos: RLW/01/16 'Elevation & floor plans' (dated 12/07/2016); RLW/02/16 'Existing elevations & floor plans' (dated 12/07/2016); RLW/03/16 'Site plan' (as amended and received by the Council on 13/09/2016).
 - 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.

Main Issue

2. The main issue is the effect of the development proposed on the living conditions of the occupants of No. 2 Falmouth Drive, with particular regard to outlook.

Reasons

3. Greystone Cottage (No. 42) is a detached dwelling set in large grounds and set back from the road. The rear of No. 42 has been extended over time and there is a mix of extensions that have been constructed. No. 2 Falmouth Drive (No. 2) is a bungalow whose rear garden boundary runs along the side boundary of the appeal property. Part of the shared boundary is formed by the side elevation of a flat roof extension at No. 42. The side walls of this extension has parapets above it and an approximate height of 3.2m. There is then a gap
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which forms a small courtyard area and then a long, rectangular single storey extension has been constructed that extends beyond the original side elevation by a considerable distance.

4. The development proposed would see the construction of a single storey infill element to the rear where the small gap/courtyard area is currently. This would result in the two rear extensions being physically joined into one continuous element. A two storey element would then be constructed at the rear situated on the opposite side of the existing courtyard and set back from the side boundary with No. 2. The existing side extension would then be reduced considerably in length and replaced by a smaller element with a gable roof design.
5. There is a conservatory and a kitchen window in the rear elevation of No. 2 that face towards No. 42. The plot is triangular in shape and the rear garden boundary runs along that of the appeal property. The view from the existing window and conservatory is dominated by the high wall that forms the side elevation of No. 42. This is particularly so given the height of the wall is significantly higher than a typical boundary fence or wall, which are normally around 2m. The submitted plans show that the height of this wall would see little change as a result of the development proposed. The existing wall runs along approximately a third of the length of the shared boundary and effectively screens views from No. 2 when viewed from the kitchen and conservatory windows.
6. Looking across the garden at No. 2 from the conservatory and within the garden itself, the outlook is towards the rear gardens of dwellings along Falmouth Drive and Buckfast Close in a southerly direction and away from the appeal site which is situated to the east. The view is therefore defined by open sky views and trees and mature shrubs. The outlook from the kitchen and conservatory windows at No. 2 would therefore be largely unaffected by the proposal. The only views of the rear elevation of No. 42 are if one stands in the furthest corner of No. 2's garden at the furthest point from the house and would therefore only affect a small part of the garden when looking directly towards the appeal dwelling.
7. Additionally, whilst No. 42 is a two storey dwelling, the ridge height of the building is approximately 6.2m and the height of the proposed extension would be approximately 5.8m. The height of the proposed extension would therefore be less than that of a typical two storey design.
8. For these reasons, I consider that the outlook from the conservatory, kitchen window and garden at No. 2 would remain largely unchanged as a result of the proposed development. Whilst the separation distance of the two storey element may be 4m, given the particular circumstances of the site that I have described, I am satisfied that the appeal proposal would not be harmful to the living conditions of the occupants of No. 2, with particular regard to outlook.
9. I note the comments regarding the scheme that has been approved for the construction of a new dwelling adjacent to No. 42. However, based on the information before me, I am satisfied that the proposal would be acceptable in terms of its effect on the living conditions of future occupants of the dwelling. Given the separation distances involved, I also consider that the proposal would not be harmful to the living conditions of other neighbouring occupants, with particular regard to outlook and privacy.

10. Accordingly, I conclude on this main issue that the development proposed would not be harmful to the occupants of No. 2 Falmouth Drive, with particular regard to outlook. The proposal would therefore be consistent with policy QE6 from the Warrington Local Plan Core Strategy (Adopted July 2014) which seeks to ensure that development would not lead to an adverse impact on the amenity of those currently occupying neighbouring properties. The proposal would therefore be generally consistent with one of the core planning principles of the National Planning Policy Framework which, among other things, seeks to ensure that planning always provides a good standard of amenity for all existing occupants of land and buildings (paragraph 17).

Other Matters

11. The appeal dwelling is a locally listed building that previously formed three terraced cottages that have since been converted into one property. It is of simple form with a dual pitched roof, small open porch and single ridge line. The existing side extension forms a long rectangular, flat roofed element that has little architectural or historic connection to the main building on the appeal site. Due to the length and utilitarian appearance of this extension, it does detract from the simple form of the main dwelling. As the appeal site is open in nature and situated on a corner plot, the existing side extension is visible in a range of views along the highway.
12. The appeal proposal would see the replacement of this element with a smaller two storey side extension that would have a more traditional architectural design. The proposed side extension would therefore be more sympathetic in design to the original building and due to the proposed reduction in length would appear as a more visually subordinate element. I therefore consider that the development proposed would make a positive contribution to the character and appearance of the dwelling itself and the wider area when compared with the existing situation.
13. The proposed rear extension would see an alteration to the existing simple roof line of No. 42 and the enlargement of an existing window. However, given the dropped ridge line, the fact that the building is set back from the highway within its plot and given that the window is not original, I am satisfied that these proposed elements would have a neutral effect overall on the character and appearance of the dwelling itself and the surrounding area.
14. In line with relevant local policies, additional parking spaces are required due to the increase in bedrooms at the property as a consequence of the proposal. Originally, three car parking spaces were proposed in the rear garden area of the appeal property. Amended plans were submitted during the Council's determination of the scheme which saw these proposed spaces relocated to the front and side of No. 42. On that basis, I am satisfied that the use of the proposed parking spaces would not be harmful to the living conditions of neighbouring occupants, with particular regard to noise and disturbance. Based on the evidence before me, the proposal would also be acceptable in terms of parking and highway safety and I note the highway authority did not object to the proposal in this regard.
15. I note the comments regarding a previous extension that was approved but does not seem to have been implemented in full at the appeal property. However, I have determined this proposal on the basis of what was applied for and within the context of a s.78 appeal. Concerns regarding how the Council

dealt with the original application are not relevant to my consideration of this appeal, which I have dealt with on the basis of the planning merits of the case before me.

Conclusion and Conditions

16. For the reasons given above, I conclude that the appeal should be allowed.
17. I have considered the Council's suggested conditions in line with the advice in the Framework and the Planning Practice Guidance (PPG).
18. I have attached a commencement condition and a condition requiring the development to be carried out in accordance with the submitted plans, to define the terms of this permission and for the avoidance of doubt.
19. I have also attached a condition requiring the materials to be used in the construction of the external surfaces of the extension to match those of the existing dwelling to ensure there will be no harm to the character or appearance of the appeal dwelling itself or the surrounding area.

V Lucas-Gosnold

INSPECTOR