
Appeal Decision

Site visit made on 9 May 2017

by Darren Hendley BA(Hons) MA MRTPI

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

Decision date: 19th May 2017

Appeal Ref: APP/M0655/D/17/3169232

9 Beechways, Appleton, Warrington WA4 5EL

- 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 Miss Fiona Davies against the decision of Warrington Borough Council.
 - The application Ref 2016/29210, dated 2 August 2016, was refused by notice dated 2 February 2017.
 - The development proposed is part two storey and part single storey extension side and porch extension to front.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the building and the area, and the effect on the living conditions of the occupiers of 11 Beechways by way of outlook, light and privacy.

Reasons

Character and Appearance

3. The appeal property comprises a two storey detached house, with an enclosed front porch and a flat roofed garage positioned to the side of the house. The garage is sited approximately 2 metres (m) from the common boundary with No 11, where a single storey part of that property extends up to the boundary. The appeal property, No 11 and No 7, are sited approximately the same distance back from Beechways, maintaining a similar building line which is accentuated by the unenclosed form of the front gardens and as they are separated from other properties on Beechways by roads on either side. In particular, due to their proximity, the appeal property and No 11 present a largely cohesive building line which contributes to the character and appearance of the area.
 4. The proposed front single storey side extension would project the garage further forward towards Beechways. This would disrupt the cohesive nature of the building line and this would be exacerbated by the proposed porch extension because it would extend across the front of the house to join with the extended garage. This disruption to the building line would be readily apparent
-

- from Beechways, and would harm the character and appearance of the building and area.
5. The proposals would also be significant in scale when compared to the existing house and would also result in the house extending across the near entirety of the width of the appeal site at two storey height. Combined, the extensions would not maintain a subordinate appearance and the proposed two storey side extension, single storey front extension and porch extension would be overly prominent when viewed from Beechways. This would further increase the harm to the character and appearance of the area. Although the rear conservatory would be removed, this would have no bearing on the scale and the lack of a subordinate appearance, when viewed from Beechways.
 6. I have noted that the proposed first floor of the two storey side extension would be set back from the front elevation of the house, set down from the main roof pitch and set in from the boundary. I accept the rear single storey extension would be screened by boundary enclosure. These matters do not though address the harm to character and appearance I have identified in relation to the overall scale and as the proposals would not maintain a subordinate appearance.
 7. My attention has been drawn to an extension at 2 Fairways. I am though satisfied the circumstances are different as there is not the same relationship with the street scene, including a less cohesive building line. I also note the Council's Planning Committee took their decision against Planning Officer recommendation, which they are entitled to do where there are sound planning grounds. I am also aware that the planning application subject of the appeal was a resubmission in order to attempt to address an earlier refusal of planning permission by the Council, although I have determined the appeal on the merits of the proposal before me.
 8. The proposals would cause significant harm to the character and appearance of the building and the area, and would therefore not comply with Warrington Borough Council Local Plan Core Strategy (2014) (Core Strategy) policies QE 6 and QE 7 which in part require development to have an acceptable impact on the surrounding area and reinforce local character.
 9. The proposals would also not comply with paragraph 64 of the National Planning Policy Framework (Framework) which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area. Additionally, the proposals would be in breach of the Warrington Unitary Development Plan (2003) Supplementary Planning Guidance 2 (SPG2) – House Extension Guidelines and SPG B Side Extensions as they would extend in front of the building line and not appear subordinate in scale to the existing house.

Living Conditions

10. No 11 contains a first floor bedroom window that would partly face towards the proposed two storey side extension, in a southerly orientation. The distance from the first floor bedroom window to this extension would be approximately 11.5m. The first floor bedroom contains no other windows. At ground floor level, windows that face the appeal property are set well back from the rear garden boundary, which is defined by a close boarded fence, with vegetation in places, up to a height of approximately 1.8m.

11. The positioning of the window does afford the bedroom an open outlook to the front of the appeal property and Beechways beyond that, and thus is not reliant on the outlook or light to the side and rear of the appeal property, despite the orientation. The window is also positioned over the roof of No 11's own single storey element, and this roof pitch would be closer in the outlook than the proposed two storey side extension. Although the separation distance from the proposed first floor extension to the bedroom window would fall short of recommended distances, expressed in SPG2, by around 1.5m, and there would be a marginal breach of the 45 degree rule under SPG2, when measured from the centre of the bedroom window, these matters in themselves would not result in unacceptable harm, based on the positioning of the window.
12. The proposed single storey rear extension would largely be screened by the boundary enclosure and would not unduly harm the outlook or light from other habitable room windows.
13. I do not consider the proposals would result in an overbearing impact or an undue loss of light to the living conditions of the occupiers of No 11, and nor would it result in an oppressive environment.
14. I am also satisfied there would be no unacceptable effects on the privacy of the occupiers of No 11 because no first floor windows are proposed in the side of the two storey extension facing No 11 and the rear elevation first floor window would be orientated towards the appeal property's rear garden. As such, overlooking of No 11's rear garden would not be unreasonable due to the angles involved. Boundary enclosure would prevent overlooking from openings at ground floor level.
15. The proposals would therefore comply with Core Strategy Policy QE 6 which in part requires development to respect the living conditions of the occupiers of neighbouring properties and paragraph 17 of the Framework which states that as a principle planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Whilst the proposals may not entirely comply with the guidelines in SPG2, I consider that with the specific circumstances in this case, the effect on the living conditions of the occupiers of No 11 would be acceptable.

Conclusion

16. Whilst I consider the proposals to be acceptable with regard to the effect on the living conditions of the occupiers of No 11, the effect on the character and appearance of the building and the area would be unacceptable and is decisive. Accordingly, I conclude the appeal should be dismissed.

Darren Hendley

INSPECTOR