



Appeal Decision

Site visit made on 8 July 2019 by Hannah Ellison MSc BSc (Hons)

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2019

Appeal Ref: APP/P2365/D/19/3225388

5 Stonemill Rise, Appley Bridge, Wigan, WN6 9BH

- 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 & Mrs C Stevens against the decision of West Lancashire Borough Council.
 - The application Ref 2018/1242/FUL, dated 19 November 2018, was refused by notice dated 25 January 2019.
 - The development proposed is a rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a rear extension at 5 Stonemill Rise, Appley Bridge, Wigan, WN6 9BH in accordance with the terms of the application, Ref 2018/1242/FUL, dated 19 November 2018, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing No PCE-Stevens-October-18-Planning.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed development on
 - (i) The living conditions of occupiers at No. 5 Stonemill Rise, with particular regard to garden provision; and
 - (ii) The character and appearance of No. 5 Stonemill Rise and the wider area.

Reasons

Living Conditions

4. The appeal site comprises a large, three storey detached dwelling located on a limited plot within a modern, open plan residential development. Permission is sought for a single storey rear extension to the property.
5. The proposed development would span the full width of the dwelling and would extend into the rear garden. The remaining garden area would fall short of the 10m minimum depth set out in the West Lancashire District Council Supplementary Planning Document, Design Guide, January 2008 (SPD). However, this guidance pre-dates the National Planning Policy Framework which states at paragraph 126 that the level of detail and degree of prescription in design guides should be tailored to the circumstances and allow a suitable degree of variety where this would be justified. Moreover, the minimum garden distance set out in the SPD, which could be interpreted as relating to the spatial arrangement of properties, is in any event open to flexible interpretation.
6. The design of the proposed extension would offer occupiers additional living space that would integrate well with the garden and could be used in a manner that would be complementary to it. Moreover, given the width of the plot, a reasonable size of garden would be retained for sitting out and as a play area as required. Thus, the reduction in garden space that would result from the proposed extension would retain reasonable levels of amenity for the occupiers and is justified in this instance.
7. As such, the proposed rear extension would not result in any significant harm to the living conditions of occupiers with regard to garden provision and therefore, in that respect, the proposal would be consistent with Policy GN3 of the West Lancashire Local Plan 2012-2027, Development Plan Document, October 2013 (the Local Plan) which, amongst other things, seeks to retain sufficient garden /outdoor space for the occupiers of the property.

Character and Appearance

8. The area is characterised by large dwellings within comparatively restricted plots. Whilst the proposal would increase the degree of built form on the site, due to its scale and massing it would not create a significant imbalance between the dwelling and remaining garden space that would result in harm to the character and appearance of No.5. Furthermore, as the proposed extension would be positioned to the rear of the site it would have limited impact on the character of the area as views from the street are restricted.
9. Consequently, the proposal would not cause unacceptable harm to the character and appearance of the host dwelling and the local area. As such, it would not conflict with Policy GN3 of the Local Plan which seeks to ensure developments relate to the existing building and reflect the character of the area.

Conditions

10. In addition to the standard time limit condition, I have imposed conditions requiring that the approved development is carried out in accordance with approved plans and is finished in materials to match the original dwelling. This is to provide certainty and in the interests of the character and appearance of the host dwelling and wider area.

11. I have considered the Council's recommended condition to remove permitted development rights for extensions, outbuildings and swimming pools. In accordance with paragraph 53 of the Framework, I do not consider there to be clear justification for restricting national permitted development rights in this instance. As such I have not attached a condition to this regard.

Conclusion and Recommendation

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Hannah Ellison

Appeals Planning Officer

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Susan Ashworth

INSPECTOR