
Appeal Decision

Site visit made on 26 July 2019

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st August 2019

Appeal Ref: APP/Q4245/D/19/3228576
13 Lowton Road, Sale M33 4LD

- 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 Walker against the decision of Trafford Council.
 - The application Ref 96046/HHA/18, dated 31 October 2018, was refused by notice dated 19 February 2019.
 - The development proposed is a part double storey side and part single storey rear extension to dwelling at 13 Lowton Road.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Walker against Trafford Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposal on 1) the character and appearance of the area; and 2) the living conditions of occupiers of 15 Lowton Road.

Reasons

Character and appearance

4. Lowton Road is a quiet residential road that is characterised by 2-storey semi-detached houses of similar appearance, some with later additions to the side. No 13 Lowton Road (No 13) is a semi-detached house with a hipped roof, characteristic of the area. To the side is a narrow driveway providing access to a garage. The appeal proposal is for the erection of a part 2-storey side extension and a part single storey rear extension to No 13.
5. The Council's Supplementary Planning Document 4: A Guide for Design in House Extensions and Alterations, 2012 (SPD4) recognises that the gap in-between buildings and the space surrounding them will make an important contribution to an area's character. It advises that a minimum 1m should be retained between the side extension of an extended property and its boundary to retain the impression of space to the side of the house.

6. The character of Lowton Road has a rhythm and uniformity which is, in part, defined by the regular, generous spaces between the semi-detached pairs. Whilst set back slightly by around 675mm from the front elevation, the height of the proposed extension would be to the existing eaves of the house. Further, it would extend almost the full width of the existing driveway to around 250mm from the boundary with the adjacent house at No 15 Lowton Road (No 15), much less than SPD4's minimum guidance. As a result, the proposed extension would all but fill the gap and available space to the boundary causing harm to the spacious character and appearance of the area.
7. My attention has been drawn by the appellant to other previously approved developments within the locality, which I saw on my site visit. Whilst I accept there are examples of single and part 2-storey extensions on Lowton Road, only the extension to No 25 Lowton Road is similar with regards its scale and proximity to the boundary. The Council's evidence is that this extension pre-dates the SPD4 guidance. Accordingly, I do not find the developments I am referred to be directly comparable to the appeal before me. In any event, the generous spacing remains a characteristic of Lowton Road. It is important, therefore, to assess the appeal proposal in this context, rather than the wider area suggested by the appellant.
8. For the reasons above, I conclude that the proposal would cause harm to the character and appearance of the area. It would therefore conflict with Policy L7 of the Trafford Local Plan Core Strategy, 2012 (CS). This policy requires, amongst other matters, development to be appropriate to its context and to enhance the street scene. It would further conflict with the National Planning Policy Framework (the Framework), which promotes development that takes opportunities to improve the character and quality of an area, as well as guidance within the SPD4.

Living conditions

9. No 15 Lowton Road (No 15) is located adjacent to No 13 and, as I saw from my site visit, has a large window to a kitchen on its side elevation facing the common boundary. Although there is also a kitchen window to the rear of No 15, the principal aspect from this room is to the side.
10. The Council's SPD4 advises that positioning an extension too close to a neighbouring boundary can result in an uncomfortable sense of enclosure for the neighbouring properties. The appeal proposal is to extend over two storeys almost the full length of the existing house, extending to the side to around 250mm of the boundary of No 15. Although there is an existing fence along the common boundary, the height and mass of this extension in such proximity to the kitchen window would result in an overbearing sense of enclosure, causing significant harm to the outlook of the occupiers of No 15.
11. The appeal proposals include only windows to bathrooms or WC's on the side elevation to No 15. It is not uncommon for such windows to be fitted with obscure glazing, as suggested by the appellant, and this could be controlled by condition. As such, I am satisfied that there would be no overlooking that would result in a loss of privacy to the occupiers of No 15. Indeed, the existing situation would be improved.
12. The Council have also raised concern about the loss of light to the facing bay window of No 15, which is to the kitchen. The appellant has provided in

evidence 3D modelling for 18th July when the sun is assumed to be at its highest point by midday. This demonstrates that at 9am, No 13 is already casting a shadow over the window of No 15, but that the existing situation would not materially change with the proposed extension. The amount of shadowing improves throughout the course of the morning and by mid to late afternoon, No 15 actually overshadows No 13. From the evidence before me, I am not therefore persuaded that the proposed extension would cause the overshadowing or loss of light to No 15, suggested by the Council.

13. Whilst I find no harm to the living conditions of No 15, by reason of loss of privacy or loss of light, overshadowing, I do find significant harm with regard loss of outlook. The appeal proposal would, therefore, conflict with CS Policy L7 because it would prejudice the amenity of occupants of adjacent properties by reason of overbearing, visual intrusion. It would also conflict with the Framework which requires developments to ensure a high standard of amenity for existing and future users, as well as the guidance in the SPD4.

Conclusion

14. For the reasons above, and taking all other matters into account, I conclude the appeal should be dismissed.

R. Jones

INSPECTOR