



Appeal Decision

Site visit made on 25 September 2019

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 October 2019

Appeal Ref: APP/Q4245/D/19/3233392

49 Medway Crescent, Altrincham WA14 4UA

- 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 Sweed Ahmed against the decision of Trafford Borough Council.
 - The application Ref 96880/HHA/19, dated 17 February 2019, was refused by notice dated 29 April 2019.
 - The development proposed is a single storey extension at rear, a double storey extension on left hand side and a part at rear and the construction of a porch at front.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The format of the appellant's name differs on the planning application form to that on the appeal form. I have used the format that appears on the planning application form, and also on the Council's decision notice, in the banner header above.

Main Issues

3. The main issues are (i) the effect of the proposed development upon living conditions with regard to overshadowing and outlook and (ii) the effect of the reduction in the provision of off-street car parking on the site.

Reasons

Living Conditions

4. The guidance of the Council's Supplementary Planning Document 4 – A Guide For Designing House Extensions and Alterations 2012 (SPD4) states that blank gable walls would normally be expected to be at least 15 metres from the main habitable room windows in neighbouring properties. I note that the appellant contends that this requirement is not applicable in this instance, but the plans I have before me are clear that this part of SPD4 would be relevant to the appeal proposal, as the side elevation of the proposal faces habitable room windows of adjacent dwellings. In my experience, the 15m separation distance stated by SPD4 is reasonable.
5. The development would bring the nearest point of the dwelling significantly closer to the side boundary of the site than at present, and consequently closer to the rear garden areas and to the windows of No 6 and 7 Spey Close. Whilst I

note that the existing gable wall is less than 15m from the adjacent dwellings, the further reduction in distance would result in an unacceptable impact upon the outlook of the two adjacent dwellings from both the windows of the dwellings and from their rear garden area, due to its two storey height and close proximity. This would cause significant harm to the living conditions of the occupiers of these dwellings.

6. The Council has also raised concern with respect to the overshadowing impact that would arise. Whilst I agree that there would be some impact on No 6 and 7 in this regard, due to the orientation of the three dwellings in relation to one another I do not consider that the impact, when compared to the existing situation, would be so severe as to cause harm to the living conditions of the occupiers of the adjacent dwellings.
7. The appellant has drawn attention to the guidance of SPD 4 which states that two storey side extensions should be set at least 1 metre from the site boundary, which they contend would be achieved in this instance. However, SPD4 is clear that the purpose of this gap is to provide relief and visual interest from an otherwise continuous building mass which could arise if two adjacent properties were both extended to the common boundary. In this instance, due to the positioning of the dwellings on Spey Close, a substantial visual gap would be retained. Therefore, whilst the appellant may be correct that the requirement of SPD4 could be met in terms of the distance to the site boundary, the reason for the distance being required relates to the character and appearance of the area and not to the living conditions of the occupiers of adjacent dwellings.
8. The Council also considers that there would be a shortfall of off-street car parking and that this too would cause harm to the living conditions of the occupiers of nearby dwellings. However, the impact that would arise has not been explained by the Council in detail and, in my view, on-street car parking of the level that may result from the proposed development would not cause harm to the living conditions of nearby occupiers.
9. I conclude therefore that whilst the proposed development would not cause harm to living conditions with regard to overshadowing and on-street parking, it would cause significant harm to the living conditions of the occupiers of No 6 and 7 through a loss of outlook. Consequently, the development would fail to meet with the objectives of Policy L7 of the Trafford Local Plan Core Strategy 2012 (CS) and SPD 4, both of which seek to safeguard the living conditions of the occupiers of adjacent properties

Car Parking

10. The appellant has provided a plan which shows the area to the front of the property and which they consider demonstrates that 2 off-street parking spaces could be provided. This plan does not however show any specific detail which confirms the number of spaces that could be provided. The Council disputes that 2 cars would fit and that only 1 space would remain as a result of the development.
11. The Council considers that 3 off-street parking spaces are required to meet with its Supplementary Planning Document 3 – Parking Standards and Design 2012 (SPD3). However, the SPD standards refer to maximum numbers of spaces rather than minimum and it recognises that lower parking thresholds

may be acceptable in cases where this would not be detrimental to wider planning interests.

12. At my visit, I noted that there were very few cars parked on Medway Crescent which is subject to parking restrictions in the form of a residential permit scheme. Furthermore, Medway Crescent is a quiet estate road where traffic appears to be light. Given these factors, together with the small-scale nature of the proposal, even if only 1 car would fit on the drive, I consider that the proposed development would not materially harm highway safety or cause inconvenience to other road users or local residents.
13. On the basis of the evidence before me, I conclude that the proposal would not lead to a harmful reduction in the provision of off-street car parking on the site. Consequently, I find no conflict with the aims and objectives of Policy L7 of the CS and SPD3 which are to ensure that sufficient off-street parking space is provided.

Other Matters

14. The Council considers that the plans are inaccurate and incomplete and that an assessment of the proposal upon the character and appearance of the area cannot be made as a result of this. I note that there are inconsistencies in the plans and I agree with the Council that this makes a proper assessment of the visual impact that would arise difficult. However, as I have found the proposed development to be unacceptable with regard to living conditions, there is no need for me to pursue this matter further.
15. The appellant has referred to an extension to another property on Medway Crescent which he considers is similar to the appeal proposal and has provided a copy of the approved planning application drawings. I viewed this property during my site visit but found that it sits within a continuous row of dwellings which front onto Medway Crescent. The circumstances of that site, and its impact, are therefore not comparable to the proposed development subject to this appeal.

Conclusion

16. Although I find no harm in respect of car parking, I do find significant harm to the living conditions of the occupiers of adjacent dwellings and subsequent conflict with the development plan. Therefore, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR