



Appeal Decision

Site visit made on 26 September 2019

by D Child BA BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd December 2019

Appeal Ref: APP/V4250/D/19/3233162

55 Balcarres Road, Aspull WN2 1SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Denise Brooks against the decision of Wigan Metropolitan Borough Council.
 - The application Ref A/19/86771/HH, dated 25 February 2019, was refused by notice dated 9 May 2019.
 - The development proposed is a single storey rear extension, a brick garage to replace an existing wooden shed used as a workshop, and a first-floor side extension to allow for a bigger bedroom.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the area, having particular regard to the street scene.

Procedural Matter

3. The description of development proposed in the heading above has been taken from the application form. However, the Council have adopted the description 'To extend dwellinghouse part two storey, part single storey to side together with single storey to rear following demolition of existing shed'. Because the side extension is not solely a first-floor side extension, this more accurately describes the development proposed; the side of the house is proposed to be extended over two floors. I shall proceed to consider the appeal on this basis.

Reasons

4. The host property is semi-detached and located on a corner plot. The front elevation faces Balcarres Road, whereas the side elevation faces Highfield Grove. Dwellings in the area are sited in a formal layout, spaced apart with a repeating rhythm of gaps, following clear building lines. The formality of this layout gives the area its character and a strong sense of place.
5. The proposal is for a single storey rear extension and a two-storey side extension, incorporating an integral garage. The side extension would be inset from the side boundary at first-floor level, and it would be set back from the front elevation of the host dwelling with a hipped roof that would be lower than that of the original building. The proposal would not therefore appear as a disproportionate addition, and it would be constructed in materials to match.

6. Parking arrangements would be satisfactory, and the siting of the proposal would not harm the living conditions of neighbours. Nevertheless, the development would extend up to the footway of Highfield Grove, and, in consequence, there would be no visual break between the extended dwelling and the side boundary. Moreover, the development would project beyond the building line on Highfield Grove, and therefore appear as a conspicuous and incongruous addition to the street scene. The resulting building would create a hard edge to the street, the impact of which would be accentuated by the slope of the land and strong building lines in the locality.
7. I have had regard to the existing timber workshop, which is sited against the side boundary. However, there is a gap between it and the host dwelling, thus allowing for views along the building line on Highfield Grove. Furthermore, the proposal is for a development of a different design and greater height, and for a significantly greater mass. The presence of the workshop does not therefore justify the identified harm.
8. The Council does not object to the rear extension, and I see no reason to disagree. Nevertheless, I cannot be certain that it is clearly severable from the overall development proposed.
9. For the above reasons, I find that the proposed development would be harmful to the character and appearance of the area, having particular regard to the street scene. Accordingly, the proposal would conflict with Policy CP10 of the Wigan Local Plan Core Strategy. It would be at odds with guidance within the Council's adopted Supplementary Planning Document, 'House Extensions Design Guide', which states that a corner plot extension must not encroach beyond established building lines on either street. It would also be contrary to Paragraph 127 of the National Planning Policy Framework 2019, which, amongst other things, requires that developments are sympathetic to local character.

Other Considerations

10. I have considered the personal medical circumstances before me, with due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010. In so doing, I acknowledge the benefits to the appellant and their family, in terms of the enhanced living accommodation proposed. It is therefore reasonable, in the circumstances, to give considerable weight to the appellant's and their family's need for the proposed development. Nevertheless, it does not automatically follow from the PSED that the appeal should succeed; the personal circumstances do not justify allowing the appeal, because it would result in unacceptable visual harm.
11. The proposal would assist the appellant and their family to remain in the family home, supporting the social objective of the Framework. I have considered the rights of the appellant and their family under Article 1 of the First Protocol and Article 8 of the European Convention on Human Rights. Nevertheless, were the appeal to fail, it would not deprive the appellant of the family home. Furthermore, I find that the need to protect the public interest from the identified harm and consequent development plan conflict, which cannot be achieved by lesser means, is justified and proportionate in this case.

Overall Conclusion

12. The proposal would harm the character and appearance of the area and the street scene. While I give considerable weight to the benefits to the appellant and their family, other considerations do not outweigh the identified harm and associated development plan conflict. For this reason, I therefore conclude that the appeal should be dismissed.

D Child

INSPECTOR