



Appeal Decision

Site visit made on 5 December 2019

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2019

Appeal Ref: APP/M0655/D/19/3235845

9 Phoenix Place, Great Sankey, Warrington WA5 8HB

- 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 Mrs Vikki Verma against the decision of Warrington Borough Council.
 - The application Ref 2019/34725, dated 28 March 2019, was refused by notice dated 27 June 2019.
 - The development proposed is described as: '2600mm deep, two storey rear extension'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarity and precision, I have taken the name of the appellant from the appeal form as it is more accurate.
3. The appellant has brought to my attention a 'sketch' showing a 900mm upper floor set back to the elevation to No.11 Phoenix Place located in Appendix One of her submission. However, as it is a 'sketch', I have not taken this into consideration as it does not constitute an amended plan, nor does it correspond with the proposed elevations. Consequently, as a 'sketch', I cannot be certain that it has benefitted from a full consultation exercise undertaken by the Council.

Main Issues

4. The main issues are the effect of the proposed development on:
 - the living conditions of the neighbouring occupiers of No 7 and No 11 Phoenix Place, with particular regard to outlook and dominance; and,
 - the character and appearance of the appeal site and the surrounding area.

Reasons

Living conditions

5. The host property is irregular in shape and whilst a detached property, it is sited close to the shared boundaries with No 7 and No 11. The proposed 2-storey rear extension would project along the full width of the host dwelling and would have chamfered side elevations due to the tapering effect of the side boundaries in the rear garden.

6. I note that the scheme before me has been reduced in scale and height compared to the previous application¹. Additionally, I note the additional details provided by the appellant to support her submission in the form of sun study information. I consider that as the rear of the host property faces a southerly direction, along with rear elevations of No 7 and No 11, the effect of the proposed extension with regards to sun light would be limited. Furthermore, I note that the proposed extension would not extend beyond any 45-degree lines from neighbouring habitable room windows. Thus, the proposal complies with the 45 Degree Code (the DC) contained within the Council's Supplementary Guidance – Householder Extensions 2013 (the SPG).
7. This compliance with the DC demonstrates that the proposed extension is unlikely to have a harmful effect on neighbouring habitable room windows with regard to outlook. However, I find that as the proposal will be sited close to the shared boundaries with No 7 and No 11, the proposal is highly likely to have an adverse effect on the living conditions of the occupiers of these properties due to the dominance of the proposed 2-storey rear extension on their private outside amenity areas. In both of the adjacent outside areas to No 7 and No 11 there was domestic paraphernalia and I have little doubt that these areas are used regularly by their occupiers, given the domestic items present. Additionally, in the case of No 7, I noted during my visit that it is sited on a slightly lower land level to the host dwelling.
8. For all of these reasons, I therefore conclude that the proposed development would cause significant harm to the living conditions of the occupiers of No 7 and No 11 through its dominance. Therefore, the proposed development would fail to comply with the amenity aims of Policy QE6 of the Warrington Borough Local Plan Core Strategy 2014 (CS), the SPG and the National Planning Policy Framework (the Framework).

Character and appearance

9. As the proposed 2-storey rear extension is located to the rear of the host dwelling, there would be limited views of the proposal from public land. Accordingly, I find that the proposed development would have little impact on the character and appearance of the surrounding area. Additionally, given the constraints presented through the shape and size of the appeal site and its rear garden, I do not find any harm with regards to the footprint of the proposed development.
10. However, I note that on the scheme before me, the 2-storey rear extension proposes a flat roof with rooflights to serve Bedroom no.3. I find that although located at the rear of the host dwelling, the proposed flat roof would not be a complimentary feature on the house given as it currently has a dual pitched tiled roof. Additionally, I note the proposed use of render on the facing elevations of the first-floor section of the proposed extension. Although render may be used on a small selection of properties in the immediate vicinity of the site, including No 7, this is mainly located on the front elevations as areas of detailing and not on the upper floors of the rear elevations. The use of brick as a facing material on the rear elevations of properties surrounding the rear of the host dwelling is a notable and prominent feature.
11. I recognise that these design features have been incorporated within the proposal to reduce the effect of the proposed development on the living

¹ 2018/33217

conditions of neighbouring occupiers by reducing its height and introducing lighter colours on the upper elevations of the proposed extension. However, I find that these visual elements within the proposed 2-storey rear extension to be at odds with the prevailing character and appearance of the host dwelling, that consequently fail to respect its overall design.

12. For all of these reasons, I therefore conclude that the proposed development would cause significant harm to the character and appearance of the appeal site. Therefore, the proposed development would fail to comply with the design, character and appearance aims of CS Policy QE7, the SPG and the Framework.

Other Matter

13. I note reference to an approved application for a ground floor rear extension². However, on the evidence before me, this is of little consequence and does not alter my findings on the main issues of this appeal, due to its single storey scale and appearance. I have considered the proposed development on its own merits and concluded there would be harm for the reasons set out above.

Conclusion

14. Taking all matters into consideration, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR

² 2018/3392 – Lawful Development Certificate approved 10 January 2019