
Appeal Decision

Site visit made on 7 January 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th February 2020

Appeal Ref: APP/M0655/W/19/3241005

20-22 Alexandra Road, Grappenhall and Thelwall, Warrington, WA4 2EL

- 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 Paul Rowley, Heathfield Residential Home, against the decision of Warrington Borough Council.
 - The application Ref 2019/35293, dated 24 June 2019, was refused by notice dated 25 October 2019.
 - The development proposed is described as extension to existing residential home to provide 3 additional single occupancy bedrooms.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 21 Hunts Lane, with particular regard to outlook, light and privacy.

Reasons

3. The site is located within a built-up area surrounded by residential properties. Hunts Lane is north of the site. The rear elevations of the properties on Hunts Lane face the rear elevations of the properties on the northern side of Alexandra Road and their respective rear gardens generally back onto each other. The site comprises a large detached property in use as a residential care home. The land slopes down from the front to the rear, to an extent that results in the internal ground-floor level being around 2.5 m above the external ground level at the rear of the building. There is a detached single-storey, flat-roof outbuilding at the rear of the site, which abuts the western side boundary of the rear garden of No 21 Hunts Lane.
4. The single-storey garage, which is around 2.2 m high, would be demolished and an extension would be added to the rear of the building. Although it has been described as single-storey, given the significant difference between the land level at the rear of the property and the internal floor level of the building, the height of the extension would be comparable to a two-storey building. Indeed, plan Ref 033 shows the proposed extension would be higher than the two-storey dwelling 21 Hunts Lane.

5. I acknowledge that the extension would be sited a little from the western rear garden boundary of No 21. However, it would still be sited very close to it. In addition, it would also be very close to the rear elevation of this dwelling. Due to its siting and size, I conclude that the proposed extension would significantly dominate the outlook to the west from the rear garden of No 21 Hunts Lane.
6. The rear garden of No 21 is of modest size. I acknowledge that a high conifer hedge exists along its southern boundary, which contributes to the existing partial enclosure of the garden and the extent of light currently experienced within it. I understand that these 2 properties are relatively close to each other due to the history of the site. Notwithstanding the site history, I must assess the effect of the proposed development on the living conditions of occupiers of No 21 within the context of the current site-specific circumstances. Thus, I consider that the proposal would compound an already compromised situation. Consequently, the reduction in light, which would occur to a degree, to the rear garden of No 21 would result in the light levels within the garden being reduced to an unacceptable standard.
7. Bearing in mind the above, I conclude that the proposed extension would have a detrimental effect on the outlook and light levels in respect of the rear garden of No 21 Hunts Lane, which would be harmful to the living conditions of occupiers of this property.
8. The proposed extension would include several windows on each of the elevations. I am satisfied that, due to their siting and the presence of the existing conifer hedge along the southern boundary of the rear garden of No 21, with the exception of window ref W6 on the plans, all other windows as proposed would not result in harm to the living conditions of occupiers of No 21. The position of window W6, which would serve a bedroom, would lead to direct overlooking of the rear garden of No 21. However, the proposed bedroom would have 2 windows in it, the other being located on the northern facing elevation of the proposed extension. Given that there would be 2 windows in the room, I consider that, should the appeal be allowed, a condition could be attached requiring window W6 to be non-opening and obscure glazed. Such a condition would prevent any overlooking of the rear garden of No 21.
9. Hence, bearing the above in mind, I conclude that the proposal would not reduce the privacy levels currently enjoyed by occupiers of No 21. As such, in this regard, the proposal would not harm the living conditions of the occupiers of No 21 in respect of privacy.
10. Notwithstanding my conclusion regarding privacy, I have concluded that the proposal would be harmful in respect of outlook and light. Consequently, it does not accord, as a whole, with policies QE6 and QE7 of the Local Plan Core Strategy (2014), which require, among other things, development not to adversely impact on the living conditions of existing occupiers of adjoining or nearby properties, to create inclusive environments and to function well in relation to existing patterns of movement and activity.

Other Matters

11. The appellant has provided evidence to demonstrate the need for the extension/additional accommodation, to which I attach moderate weight.

12. I note that the rendered elevations would, to a degree, reflect light. However, I have not been provided with any detailed evidence demonstrating that the use of such a material would ensure existing light levels are not reduced.
13. I acknowledge that the Council has not raised any issues regarding the design per se, highways safety or trees.
14. The appellant has explained that they engaged in pre application discussions with the Council and that the application was dealt with by several officers, one of which, the appellant suggests, provided verbal feedback suggesting that the proposal would be acceptable. I do not have full details of either pre application discussions or how the application was dealt with by the Council. Although I appreciate the frustration of the appellant at a perceived lack of continuity, the decision is that of the Council, rather than an individual officer.
15. I understand the Council has an emerging Local Plan. However, this has not reached a stage at which significant weight can be attached to it.
16. Having considered the other considerations above, I conclude that these matters, neither individually or collectively, outweigh the harm I have identified to the living conditions of occupiers of No 21.

Conclusion

17. In light of the above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR