



Appeal Decision

Site visit made on 11 February 2020 by L Wilson BA (Hons) MA MRTPI

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2020

Appeal Ref: APP/Q4245/D/19/3242338

Four Winds, 6 Barry Rise, Bowdon WA14 3JS

- 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 G Nixon against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 98863/HHA/19, dated 20 September 2019, was refused by notice dated 15 November 2019.
 - The development proposed is 'extensions and alterations to existing house'.
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations to the existing house at Four Winds, 6 Barry Rise, Bowdon WA14 3JS in accordance with the terms of the application, Ref 98863/HHA/19, dated 20 September 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 870_PL 507 A, 870_PL 506 A, 870_PL 505 A, 870_PL 504 A, 870_PL 503 A, 870_PL 502 A, 870_PL 501 A and 870_PL 500.
 - 3) No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces have been submitted to and agreed in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposed extension on the living conditions of the occupants of No. 4 Barry Rise (No. 4), with particular reference to outlook.

Reasons for the Recommendation

4. No. 6 is a large detached dwelling which has been extended and altered over the years. The property is situated within a generous plot with a large driveway to the front and to the rear the main garden area sits lower than the host property. The area is characterised by substantial two-storey residential properties set back from the highway, generally behind high boundary treatment. Planning permission was recently granted for an extension to the rear of the garage/snug¹ and the amended scheme seeks to increase the length of the rear projection so that it would extend approximately 3.5 metres from the existing rear wall.
5. The proposed development includes a porch on the front elevation of the dwelling and a flat roof single storey extension to the rear. The Council has no objection to these elements of the scheme and I see no reason to disagree with that assessment. Likewise, I concur with the Council that the proposed development would not significantly reduce the amount of light reaching No. 4. The main issue relates to the two-storey element of the scheme which is adjacent to the common boundary shared with No. 4.
6. No.4 has a patio area served by patio doors alongside the common boundary with the appeal site. There are notable land level differences between No. 4 and the appeal property with No. 4 sitting higher than the appeal property. A high beech hedge is situated between the two plots which currently provides screening. The two-storey element of the extension would be a continuation of the existing rear projection and would be situated approximately 2 metres from the common boundary with No. 4.
7. The patio area to the rear of No. 4 sits higher than the main garden. This area of the plot has a sense of enclosure due to the existing projection to the rear of the appeal property, the boundary hedge and configuration of No. 4.
8. The Supplementary Planning Document SPD4: A guide for Designing House Extensions and Alterations (2012) (SPD) provides guidance for rear extensions. The SPD indicates that large rear extensions could harm neighbouring properties and be physically dominating. The SPD states that for two storey rear extensions, they should not normally project more than 1.5 metres where they would be close to a shared boundary. If the extension is set away from the boundary by more than 15 cm, the projection can be increased by an amount equal to the extra distance from the side boundary.
9. The proposed eaves height of the two storey extension would be at the same as the existing structure. Although the ridge height would be similar to a two-storey extension, the roof plane would be sloped away from the boundary, thus reducing its impact upon No. 4. I acknowledge that the proposal would have some impact upon the lower garden area adjacent to the patio. However, no. 4 has a large garden and the scheme would not have a significant detrimental impact upon this section of the garden. The proposal would not have an overbearing, oppressive nor dominating impact because of its design and site-specific circumstances. This is due to the combination of the gap between the proposed extension and No. 4, land level differences, height of the existing boundary treatment, eaves height and the slope of the proposed roof away from the boundary.

¹ 97738/HHA/19

10. Whilst the scheme would not fully accord with the advice in the SPD, each case must be considered on its merits and based on the circumstances of the appeal site, I conclude that the proposal would not cause material harm to the living conditions of the occupants of No. 4 Barry Rise by reason of an overbearing impact. Accordingly, it would not conflict with Policy L7 of the Trafford Local Plan Core Strategy (2012) which seeks amongst other matters, to ensure that new development does not prejudice the amenity of the occupiers of adjacent properties. The scheme would also accord with the provisions of the Framework which seeks to ensure that new development achieves a high standard of amenity for existing users.

Other Considerations

11. The appeal site is situated outside but in close proximity to the boundary of The Devisdale Conservation Area (CA). The Council raise no concerns in respect of the effect of the development on the setting of the CA, and I have no reasons to consider otherwise. I am satisfied that the development would have a neutral impact on the character and appearance of the CA and the development would not cause harm to the significance of the designated heritage asset.

Conditions

12. I have considered the conditions recommended by the Council, having regard to guidance found in the Planning Practice Guidance. Conditions 1 and 2 are necessary for certainty and to ensure that the development is carried out in accordance with the approved plans. In the interest of visual amenity, a condition relating to materials is required.

Conclusion and Recommendation

13. For the reasons given above I recommend that the appeal should be allowed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be allowed subject to the conditions attached.

Sarah Housden

INSPECTOR