



Appeal Decision

Site visit made on 17 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: 26th February 2020

Appeal Ref: APP/C4235/D/19/3242076

30A Winnington Road, Marple, Stockport SK6 6PT

- 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 Mark Gwilliam against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/073564, dated 22 May 2019, was refused by notice dated 16 September 2019.
 - The development proposed is described on the application form as two storey and single storey rear extension, single storey front extension and elevational alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey and single storey rear extension, single storey front extension and elevational alterations at 30A Winnington Road, Marple, Stockport SK6 6PT in accordance with the terms of the application, Ref DC/073564, dated 22 May 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: 1:1250 scale Location Plan, 19-698 (01)001 PL3, 19-698 (04)001 PL3 and 19-698 (05)001 PL3.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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. 32 Winnington Road (No. 32), with particular reference to outlook and light.

Reasons for the Recommendation

4. The appeal property is a detached two-storey dwelling situated within a generous plot. The property has a single-storey and a two-storey extension to the rear. The area is residential in character and dwellings differ in form, design and character.
5. The Council has raised no objection to the proposed front extension nor to the design and appearance of the proposed extensions and I see no reason to disagree with that assessment. The Council's main concern relates to the two-storey rear projection and its impact upon the outlook from the ground floor, rear window of No. 32's side outrigger. The appellant highlights that this window serves a dining room. The existing single-storey rear projection has a depth of approximately 3.2 metres. The scheme would replace this and extend approximately 4m beyond the existing two-storey rearward projection. At present there is a fence, which is approximately 1.8 metres high, on the common boundary with No. 32 and beyond this is mature hedging.
6. The Extensions and Alterations to Dwellings: Supplementary Planning Document (2011) (SPD) provides guidance for rear extensions. The SPD seeks to ensure that extensions do not cause an unacceptable loss of outlook nor unduly reduce the amount of light entering original, principal habitable room windows of neighbouring properties.
7. The appellant has submitted photographs which demonstrate that the ground floor rear window to the dining room is a secondary window. The photographs clearly show that the main window is located to the front of No. 32 and there is a further secondary circular window, also on the front elevation. Thus, the main principal window and outlook, to the front, would not be affected by the proposal. The scheme would not result in a significant loss of outlook from the secondary rear window due to the existing boundary treatment and the gap between the rear window and the proposed extension. Accordingly, the proposed development would not have an overbearing, oppressive nor dominating impact and would not be materially harmful to the outlook from the room.
8. Similarly, as the rear window in question is not the principal window, the proposal would not reduce levels of light to a material degree. The rear window is north-east facing. I visited the site late morning and observed that the window was already shadowed. Due to the orientation of No. 32 and existing siting of the appeal property, the windows to the front of No. 32 provide the main source of light to the room. Accordingly, the room would still receive adequate daylight and sunlight.
9. For those reasons, the proposed development would not have an unacceptable effect on the living conditions of the occupants of No. 32 with particular reference to outlook and light. Accordingly, it would not conflict with Policy SIE-1 of the Stockport Metropolitan Borough Council Local Development Framework: Core Strategy DPD (2011), saved Policy CDH1.8 of the Stockport Unitary Development Plan Review (2006), the SPD and the Framework. Collectively, these policies seek, amongst other matters, to ensure that new development does not result in significant harm to the amenity of neighbouring properties.

Conditions

10. 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 ensuring that the external materials match the existing building is required.
11. The Council has recommended two conditions in order to protect existing trees. I acknowledge the Arboricultural Officer's comments, however as stated on the application form, the scheme does not seek to remove or prune any trees or hedges, in order to carry out the proposal. The Tree Preservation Order (TPO) plan shows a row of TPO trees to the front of the site, however on my site visit I observed that there are no trees to the front of the property. It is not clear from the evidence submitted, when or how the front boundary was altered. Thus, I do not consider these conditions to be reasonable or necessary.
12. The Council has also recommended a condition restricting openings on the side elevation of the development. I do not consider such a condition to be necessary. In accordance with the General Permitted Development Order 2015¹, any subsequent first floor side windows would need to be obscure-glazed and additional ground floor windows would be screened by the existing boundary treatment.

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

¹ Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).