
Appeal Decision

Site visit made on 16 March 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2020

Appeal Ref: APP/Q4245/D/20/3244157
122 Framingham Road, Sale M33 3RN

- 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 Mohammed Islam against the decision of Trafford Council.
 - The application Ref 98467/HHA/19, dated 1 August 2019, was refused by notice dated 11 October 2019.
 - The development proposed is alterations to the boundary treatments including relocation of the pedestrian and vehicular access gates. Erection of a rear first floor extension and associated external alterations.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has agreed to the change of the description of the development. Therefore, I have taken the description from the decision notice and determined the appeal accordingly.
3. Amended plans were submitted during the planning application process. The appellant has confirmed that the amended floor plans and elevations are those shown on revision C of drawings numbers 05-19 FR103 and 05-19 FR102
4. At my site visit I noted that the new vehicular opening and access gates have been installed. Therefore, in this respect, the development is retrospective.

Main Issue

5. The main issue is the effect of the development on the living conditions of 2 Wood Road and 120 Framingham Road.

Reasons

6. The appeal property is located at the junction of Framingham Road and Wood Road. It is a semi-detached house on a corner plot with various extensions and alterations including a ground floor extension and dormer roof extension to the rear elevation. The rear garden of the appeal site is triangular in shape and of a limited size.
7. I saw at my site visit that the rear elevation of No 2 Wood Road nearest to the boundary with the appeal site is set on its original building line with patio doors

from the lounge providing access to an outside sitting area. The sitting area is enclosed by single storey extensions either side of it and is covered by a glazed lean-to roof. No 2 and the appeal site have a similar shape and limited size of rear garden. The proposed first floor extension is designed in an L shape. Where it is closest to the boundary with No 2, the depth of the proposed extension, according to the appellant's statement, would be approximately 1.4 metres. Due to the depth, height and position next to the boundary, the proposed extension would appear overbearing and would create an increased sense of enclosure when viewed from the rear lounge window of No 2. In addition, the proposed extension would appear overbearing when viewed from the outside sitting space and would reduce daylight into the area. The detrimental impact of the proposed extension would be exacerbated because the window serves one of the main habitable rooms within the property and the outside sitting area is part of a limited rear garden space. Consequently, the proposed first-floor extension would detract from the living conditions of the occupiers of No 2 Wood Road.

8. No 120 Framingham Road is broadly to the north of the appeal site. Due to the appeal site's corner location it is angled towards the side boundary of No 120 Framingham Road. No 120 has a garage on the joint boundary separating the rear gardens and a kitchen door and small obscure glazed windows on the side elevation set away from the joint boundary by the width of the garage. The proposed extension does not project beyond the rear wall of No 120. At the rear No 120 has a ground floor conservatory extension. From the side window of the conservatory the proposed first floor extension would be visible. However, because of the angle of the appeal property to the joint boundary, the bulk of the extension would be some considerable distance from the side conservatory window. As a consequence, the first-floor addition would not appear dominant or overbearing from within No 120.
9. Further, the extension would be separated by the garage from the rear garden and would not dominate the garden space of No 120. The rear facing window in the extension is proposed to be non-opening and obscure glazed. Therefore, there would be no overlooking of the rear garden of No 120. Overall, the juxtaposition of the two properties would ensure that the depth and massing of the rear extension would not detract from the living conditions of No 120 Framingham Road.
10. Although I have found that the extension would not detract from the living conditions of 120 Framingham Road, I conclude that the proposed extension would be overbearing on the lounge window and outside sitting area of No 2 Wood Road and consequently, would harm the living conditions of the occupiers of 2 Wood Road. In this respect the development conflicts with Policy L7 of the Trafford Local Plan: Core Strategy adopted January 2012 which seeks to ensure that development does not prejudice the amenity of adjacent occupiers by being overbearing. It would also conflict with the Supplementary Planning Document SPD4: A guide for designing house extensions & alterations adopted February 2012 (SPD) which sets out the factors to take into account when considering whether an extension is overbearing including the size, position and design of the extension and the size of the garden. The SPD also seeks to protect neighbouring garden areas from adverse overbearing impacts in relation to well-used garden areas, such as sitting out areas. These policies and guidance are consistent with the design objectives of the National Planning Policy Framework with which the proposal also conflicts.

Other Matters

11. I acknowledge the concerns of residents with regard to overdevelopment, the appearance of the property, parking and the busy road outside the site particularly at school pick up and drop off times, loss of protected trees, boundary treatment and the possible use of the site as an HMO. However, given my conclusion on the main issue I have not found it necessary to consider these matters further.

Conclusion

12. For the reasons given above, the appeal is dismissed.

Diane Cragg

INSPECTOR