



Appeal Decision

Site visit made on 6 July 2020

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2020

Appeal Ref: APP/M0655/D/20/3252171

12 Bedford Street, Stockton Heath, Warrington WA4 6LY

- 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 Ms Andrea Sollory against the decision of Warrington Borough Council.
 - The application Ref 2019/36283, dated 19 November 2019, was refused by notice dated 4 March 2020.
 - The development proposed is a single storey rear extension and conversion of outhouses.
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Decision

1. The appeal is dismissed insofar as it relates to the single storey rear extension. The appeal is allowed insofar as it relates to the conversion of outhouses and planning permission is granted for the conversion of outhouses at 12 Bedford Street, Stockton Heath, Warrington WA4 6LY in accordance with the terms of the application, Ref 2019/36283, dated 19 November 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans in so far as relevant to that part of the development permitted: Site Location Plan; Existing and Proposed Plans and Specifications Dwg No 01; Existing and Proposed Elevations and Sections Dwg No 02.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in the appeal is the effect of the proposed extension on the living conditions of the occupiers of No 11 Bedford Street with particular regard to light and outlook.

Reasons

3. The appeal property is a terraced house that has a 2 storey rear outrigger with single storey outhouses beyond. At ground floor level the main rear elevation of the adjoining house (No 11) contains a window that faces down the rear yard, and a window on the outrigger that faces No 12. In addition, the outhouses on this property have been converted into a habitable room that

contains a number of windows which also face the host property. These are all close to the common boundary which at present is marked by a wall which is around 1.8m high closest to the houses but which then reduces to approximately 1.6m. The orientation of the properties, the existing outrigger on No 12 and the boundary wall already restrict the outlook of the windows on No 11 and mean that they receive little direct sunlight.

4. The proposed extension would be close to the common boundary and project as far as the outrigger does. It would also be significantly taller than the existing boundary wall. Whilst, due to the orientation of the properties the extension would not result in any significant additional overshadowing, it would have an adverse impact on the amount of light received, particularly by the window on the main rear elevation of No 11. Moreover, the scale and mass of the extension and its position close to the boundary, would result in it having an overbearing impact on the adjoining dwelling, exacerbating the poor outlook the windows already have.
5. The appellant has suggested that under permitted development rights they would be able to build a similar extension which did not project as far. Be that as it may, such an extension is not as substantial as the proposal now before me, and so its impact would not be as great.
6. The Council have not raised any objection to the conversion of the outhouses into living accommodation. Nothing I have seen or read leads me to a different conclusion in this regard. As this element is clearly severable from the rear extension, I consider that this part of the proposal can be allowed on its own.
7. Overall, I consider that the conversion of the outhouses would be acceptable but that the proposed extension would have an unacceptable impact on the living conditions of the occupiers of No 11 Bedford Street with particular regard to light and outlook. Accordingly, the proposed extension would conflict with Policy QE6 of the Warrington Local Plan Core Strategy (adopted July 2014) which requires that developments should respect the living conditions of existing neighbouring occupiers.
8. The appellant has highlighted that Policy QE6 also refers to the need to take into account permitted development rights. However, that bullet point refers to the ability and effect of using permitted development rights to change use within the same Use Class without needing to obtain planning consent. As such, this does not apply to the appeal scheme as the permitted development rights referred to are not for changes of use.

Conclusion and Condition

9. For the reasons set out above, I conclude the appeal should be allowed in respect of the conversion of the outhouses, but dismissed in respect of the single storey rear extension. In addition to the standard implementation condition, to provide certainty it is necessary to define the plans with which the scheme should accord. In the interests of the character and appearance of the area a condition is required to control the external appearance of the converted outhouse.

Alison Partington

INSPECTOR