



Appeal Decision

Site visit made on 22 September 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2020

Appeal Ref: APP/V4250/D/20/3255267

69 Wentworth Road, Ashton-In-Makerfield WN4 9UH

- 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 Scott Eden against the decision of Wigan Council.
 - The application Ref A/20/88756/HH, dated 25 February 2020, was refused by notice dated 4 May 2020.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for the construction of a single storey rear extension at 69 Wentworth Road, Ashton-In-Makerfield WN4 9UH in accordance with the terms of the application, Ref A/20/88756/HH, dated 25 February 2020, 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: Drawing Number 6839/01 and Ordnance Survey based location plan.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials that match those of the existing building.
 - 4) Notwithstanding the details shown on the approved plans, no additional windows shall be inserted at any time into any external elevation or roof plane, nor shall existing window openings be enlarged or altered in position.

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 main issue is the effect of the proposal on the living conditions of the neighbouring property, No. 71 with regard to overshadowing, and outlook.

Reasons for the Recommendation

4. No.69 is a two-storey semi-detached residential dwelling located at Wentworth Road in Ashton-In-Makerfield, Wigan. To the rear of the property is an existing conservatory extension located at the rear elevation of the house and a timber shed about a meter away from the conservatory. Both run along part of the shared boundary with No. 71.
5. Wigan Council's Housing Extensions Design Guide Supplementary Planning Document (2019) (the 'SPD') recommends a single storey extension should not project along a common boundary by more than 3 metres unless it is set off the boundary by a distance proportional to its extra length¹. The proposal would extend up to 4.5 metres at the boundary². The SPD provides guidance for extensions; however, it is not policy although due regard should be given to it. The SPD also states that longer extensions may be acceptable subject to other considerations such as position relative to length of garden, position of windows, existing boundary details, existing extensions on neighbouring properties and general amenity effects on neighbouring properties³.
6. The proposed extension would exceed the parameters for rear extensions as set out in the SPD, however, given the existing situation in terms of the existing shed, its proximity to the shared boundary, the closed boarding timber boundary and the south-westerly position of the proposed extension relative to No.71, the impact from the proposal on the living conditions of the neighbour at No. 71 in regards to overshadowing and outlook would not be significantly greater than what already exists. The design of the extension, with a shallow pitched roof sloping down to a modest height at the boundary would also assist in that regard – the eaves level would not be significantly higher than a standard 2m boundary fence. The orientation is such that the extension would not result in overshadowing for large parts of the day. There may be a marginal impact, over and above that of existing structures, late in the evening as the sun sets to the west. However, for most of the day there would be no additional overshadowing and the small impact, of itself, would not have such a negative impact to warrant planning permission being withheld.
7. Consequently, whilst the extension would project by more than 3m, given the site-specific circumstances of this proposal, the adverse effects the SPD seeks to avoid would not occur in this instance. Suitable living conditions would be maintained for the residents of No.71. As such, I am satisfied that the proposal falls within the circumstances stated in paragraph 3.8 of the SPD where extensions of longer than 3m may be permitted.
8. I find that the proposal would not result in an unduly detrimental loss of outlook and unacceptable sense of overshadowing to the adjoining property and their garden at No. 71 Wentworth Road, to the detriment of the living conditions of the occupants of this property. Accordingly, I find no conflict with Policies CP10 and CP17 of the Wigan Local Plan Core Strategy Development Plan Document (2013).
9. These policies amongst other things seek to ensure that new development is planned and designed so that it does not have an unacceptable adverse impact

¹ Paragraph 3.7 illustrated in figure 6

² Drawing Number 6839/01

³ Paragraph 3.8

on amenity and quality of life and/or that it will not itself be impacted upon in such a way by existing uses or activities in the area.

Conditions

10. In addition to the standard time limit condition a condition is necessary to ensure that the proposed development is carried out in accordance with approved plans, in the interests of clarity. It is also necessary to attach a condition to ensure that the materials used match those of the existing building in order to ensure a satisfactory appearance, as well as a condition preventing the insertion of additional windows in order to protect privacy of the neighbouring property.

Conclusion and Recommendation

11. For the reasons given above and having had regard to evidence before me, I recommend that the appeal should be allowed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be allowed.

Chris Preston

INSPECTOR