

Appeal Decision

Site Visit made on 7 December 2020 by Hilary Senior BA (Hons) MCD MRTPI

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2021

Appeal Ref: APP/V4250/D/20/3259574

3 Astbury Close, Lowton, WARRINGTON, WA3 1ED

- 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 Clive Seddon against the decision of Wigan Metropolitan Borough Council.
 - The application Ref A/20/89239/HH, dated 6 January 2020, was refused by notice dated 30 July 2020.
 - The development proposed is to 'replace conservatory with a single storey extension'.
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Decision

1. The appeal is allowed and planning permission is granted to replace conservatory with a single storey extension at 3 Astbury Close, Lowton, WARRINGTON, WA3 1ED in accordance with the terms of the application, Ref A/20/89239/HH, dated 6 January 2020, subject to the following conditions:
 - i) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - ii) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, Project 2 SS rear Sheet 1 Rev B, Project 2 SS rear Sheet 2 Rev B, Project 2 SS rear Sheet 3 Rev B, Project 2 SS rear Sheet 4 Rev B, Project 2 SS rear Sheet 5 Rev B, Project 2 SS rear Sheet 6 Rev B.
 - iii) 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 main issue is the effect of the proposal on the living conditions of the occupiers of 1 Astbury Close with particular regard to its effect on outlook and light.

Reasons

4. 3 Astbury Close is a semi-detached dwelling located at the head of a small residential cul de sac, adjoining an industrial estate and accessed from Newton Road. The area is characterised with a mix of house types including detached and semi-detached dwellings set back from the road.
5. The proposal is to replace an existing single storey rear conservatory with a single storey brick-built extension with tiled roof. The property has been previously extended with a two-storey side extension.
6. The guidance in the Proposed Extensions Design Guide Supplementary Planning Document (2019) states that single storey extensions along common boundaries should not project more than 3 metres from the rear elevation. Both the existing conservatory and the proposed extension are longer than the guidance and as they are close to the shared boundary, would not comply with it. The SPD does however go on to say that longer extensions may be acceptable in some circumstances taking into account, amongst other things, the length of the garden and boundary details.
7. The host property and the neighbouring property are separated by a high timber fence and whilst the proposed extension would be longer and higher than the existing conservatory there would be limited additional harm to the residential environment of the neighbouring occupiers. I acknowledge that the extension would be brick built rather than glazed as the current conservatory is, and the roof would be higher. However, in terms of its impact on the outlook from the neighbouring property, the proposed extension would not cause significantly greater harm than the existing conservatory.
8. 1 Astbury Close also has a relatively long rear garden which, when viewed from the ground floor windows of the dwelling, would remain open. Whilst the development would be seen from within the garden, the extension would have a limited impact on the enjoyment of it. I also understand that the garden faces north west and therefore the proposal would not add significantly to the overshadowing of the garden or dwelling. Similarly, the amount of daylight received at the neighbouring property would not be significantly reduced by the proposal.
9. Taking into account the above reasons, the proposed extension would not cause undue harm to the living conditions of the occupiers of 1 Astbury Close with regard to outlook or light. It would therefore comply with Policies CP10 and CP17 of the Wigan Local Plan Core Strategy (2013) which together, amongst other things, seek to ensure that development protects the amenity of existing residents.

Conditions

10. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials matching that of the existing building is also necessary to protect the character and appearance of the area.

Conclusion and Recommendation

11. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

Susan Ashworth

INSPECTOR