



Appeal Decision

Site Visit made on 13 July 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2021

Appeal Ref: APP/W4325/D/21/3272767

79 Grampian Way, Moreton, Wirral CH46 0QF

- 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 Michael Williams against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/20/01511, dated 16 October 2020, was refused by notice dated 22 February 2021.
 - The development proposed is Single Storey Rear Extension & Garage Extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The revised National Planning Policy Framework (the Framework) was published in July 2021 and I have had regard to it in reaching my decision.

Main Issues

3. The main issues are the effects of the proposal on:
 - i) The character and appearance of the area; and
 - ii) The living conditions of neighbouring residential occupiers.

Reasons

Character and appearance

4. No 79 is a detached property. It is separated from No 77 by their respective side driveways which lead to adjoining single storey flat roof garages, these being detached and narrowly set back from the rear elevations of the neighbouring properties. It is in a predominantly residential area characterised by semi-detached properties in similar styles and materials, set back from the street behind low boundary walls and with rectangular rear gardens.
5. The proposal would be a single storey extension to the rear of the dwelling and an extension to the garage. The extension to the dwelling would span the entire width of the property and it would project a little over 4m from the rear elevation. It would have a flat roof with a large roof lantern and it would be finished in materials to match its host. By virtue of its size, scale and design, the dwelling extension would be subservient to and it would be unobtrusively sited to the rear of the appeal property. Consequently, it would not harm the character and appearance of the host property or the area.

6. The garage would be widened to nearly 3.5m and increased in height to roughly 3.3m and it would be extended by more than 13m along the side boundary. In combination with the extension to the dwelling, it would result in a significant increase in built development to the rear of the property. While an area of private outdoor space would be retained, the increase in the extent of hard built environment would have an urbanising effect that would detract from the verdant and relatively undeveloped townscape of the rear gardens. The excessively long garage extension, with its expanses of blank elevations and flat roof, would have little architectural merit. Irrespective that it would not be prominent in the street scene, it would not be in keeping with and it would not make a positive contribution to the appeal property or the townscape.
7. Properties elsewhere have been extended and detached garages and outbuildings in rear gardens are relatively commonplace in the area. However, on the basis of the evidence before me, more modest extensions and outbuildings do not appear to be directly comparable to and they do not provide a justification for a significantly large garage extension.
8. Therefore, the proposal would harm the character and appearance of the area. It would conflict with Policy HS11 of the Wirral Unitary Development Plan Adopted February 2000 (the UDP). This requires, among other things, that extensions should be appropriate in scale to the plot, taking into account the relationship to the boundaries and surrounding development. It would conflict with the guidance for rear extensions in the Supplementary Planning Guidance House Extensions Adopted July 2004 (the SPG). It would conflict with the visual amenity and design aims of the Framework in relation to creating high quality and beautiful buildings and distinctive places.

Living conditions

9. The plans illustrate that the garage extension would be taller than the adjoining garage in the rear garden of No 77. It would extend along the entire side boundary and it would be considerably taller than the close-boarded boundary fence. Irrespective of its materials, the significant extent of blank wall along the boundary would be conspicuous and visually obtrusive when viewed from the garden of No 77. By virtue of its height and length, the garage extension would be dominant and oppressive to the occupiers of No 77 when using their garden. It would be an unneighbourly form of development that would be detrimental to the neighbouring occupiers.
10. The garage extension would overshadow part of the neighbouring garden particularly at times of the year when the sun is lower in the sky. While the loss of daylight and sunlight along the entire side boundary of the garden of No 77 would not be a significant adverse effect in isolation, it would contribute to cumulative detrimental impacts on the neighbouring occupiers.
11. Therefore, the proposal would harm the living conditions of the neighbouring residential occupiers of No 77, with particular regard to overbearing on their rear garden. It would conflict with Policy HS11 of the UDP which requires, among other things, that extensions should not be so extensive as to be unneighbourly. It would conflict with the guidance in the SPG in relation to the acceptable size of rear extensions close to party boundaries. It would conflict with the social objectives and the policies in the Framework that require development to create a high standard of amenity.

Other Matters

12. Planning permission (Ref APP/21/00727) was granted on 14 June 2021 for a single storey rear extension and garage extension (resubmission of refused planning application APP/20/01511). The approved scheme differs from the appeal proposal insofar as it would extend the garage by only roughly 6.6m. This would be a significant reduction compared to the proposal and it would project only 3m beyond the neighbouring adjoining garage, which would not be significantly overbearing to the occupiers of No 77. Moreover, the reduced extent of built development would be in keeping with the scale of the plot and the character and appearance of rear gardens elsewhere in the area. The acceptability of a substantially smaller garage extension does not provide a justification for the appeal scheme.
13. My attention has been drawn to the permitted development rights for development within the curtilage of a dwellinghouse. However, the appeal relates to a planning application and a theoretical alternative scheme that would benefit from permitted development rights does not provide a justification for the appeal proposal.
14. I am not aware that the neighbouring residential occupiers have either objected to or supported the proposal. However, the absence of third party representations is not evidence of an absence of impacts. I am in any case required to be mindful of the impact of the development over its lifetime and therefore its effect on both existing and future neighbouring occupiers.

Conclusion

15. For the reasons set out above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
16. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR