



Appeal Decision

Site visit made on 7 September 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th September 2021

Appeal Ref: APP/Q4245/W/21/3272654
6 Robin Road, Altrincham WA14 5WD

- 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 Dr Shehzad Ghaffar against the decision of Trafford Borough Council.
 - The application Ref 101819/HHA/20, dated 28 August 2020, was refused by notice dated 18 March 2021.
 - The development proposed is the erection of a front porch and part single/part three storey rear extension, plus garage conversion and alterations to elevations.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the banner heading above is taken from the appeal form rather than the original planning application form, as it provides a more detailed and accurate description of the proposal.
3. The Government published a revised National Planning Policy Framework ("the Framework") on 20 July 2021, replacing the version published in February 2019. The parts of the Framework most relevant to the Council's reasons for refusal, and therefore this appeal, have not been significantly amended. As a result I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach. Where I have referred in my decision to specific paragraphs of the Framework, the numbering used is that of the July 2021 version.

Main Issues

4. The main issues are the effect of the proposed rear extension on the character and appearance of the area, and on living conditions for the occupiers of neighbouring dwellings with particular regard to whether it would be overbearing or would lead to unacceptable overshadowing.

Reasons

Character and appearance

5. The appeal property is a three-storey detached dwelling – the second floor at loft level is entirely within the pitched roof – at the head of Robin Road, a small

cul-de-sac within a modern residential estate. The proposed development is the erection of a front porch, and a rear extension which would be part single-storey and part three storeys, along with a garage conversion and various external alterations. The scheme would create an enlarged kitchen and a bedroom with ensuite bathroom on the ground floor, a kitchenette within a bedroom on the reconfigured first floor, and an ensuite bathroom serving an enlarged bedroom on the second floor.

6. No 6 Robin Road is comparable in scale and general design to the neighbouring properties at Nos 4 and 5 to the west (although these form a non-identical semi-detached pair) and Nos 7-9 to the east. They are all reasonably generously sized dwellings, although with short gardens at the front, facing Robin Road, and at the rear, facing onto Riverbrook Road, the public footpath and cycleway which passes the ends of the gardens, and adjoining public open spaces. As a consequence of the shallowness of their rear gardens, the appeal property and its immediate neighbours are already prominent in the street scene when seen from the north.
7. At ground floor level the rear extension would be built to around 3m beyond the existing rear wall of the appeal property, and it would be around 6m wide. Above this, a pitched roof on the north and east sides would step back slightly, so that at first and second floor levels the extension would be around 2m deep and approximately 4.5m wide. A north-facing gable would rise to around 1.2m below the existing main roof ridge. The gap between the rear elevation of the extension and the angled rear boundary fence would be between around 2m and 2.6m, so the already shallow rear garden would be further shortened.
8. The rear extension would be a substantial projection towards Riverbrook Road and the public footpath/cycleway, and would protrude into views from the north west along Riverbrook Road, and from the south east along the footpath/cycleway. Because of both its size and its proximity to the rear boundary, it would appear a bulky and intrusive addition to street scene, detracting from the generally uniform appearance of the appeal property and its neighbours, and the contribution they make to the consistent character of the immediate surrounding area.
9. The appellant has referred to a gable projecting at the rear of No 4 Robin Road, and suggests that this forms a precedent for the appeal scheme. However, the gable at No 4 is an original feature of the property, and it does not come as close to the adjoining public spaces as would the proposed extension at No 6 (by the Council's figures, though these have not been disputed by the appellant, the extension at No 4 is around 4.7m from the highway of Riverbrook Road, while the proposed extension at No 6 would be around 2.6m or less from the public footpath/cycleway). In my view, the proximity of the proposed extension to the public space would make it a particularly dominant feature. Furthermore, because of the angle between the building line of Nos 4-6 and that of Nos 7-9, the rear projection at No 4 does not interrupt longer views along either Riverbrook Road or the public footpath/cycleway. That would not be the case with the proposed extension to the appeal property. I therefore consider that the gable projection at No 4 does not set a precedent or lend anything other than negligible weight in support of this proposal. The appellant has also drawn my attention to an extension at No 4, but this is a single-storey side extension, which is not comparable either in scale or siting to the scheme before me.

10. I conclude that, because of its scale, bulk, siting and proximity to the public realm, the proposed rear extension would be harmful to the character and appearance of the area. The proposed development therefore conflicts with Policy L7 of the 2012 Trafford Core Strategy ("the TCS"), which among other things seeks to ensure that development is appropriate in context, scale, height, massing and elevation treatment, and enhances the street scene or character of the area. For the same reasons the proposal conflicts with the requirements of the Framework which seek to achieve well-designed places, in particular the provisions of paragraph 130.

Living conditions

11. The Council's 2012 Supplementary Planning Document "A Guide for Designing House Extensions & Alterations" points out that an extension positioned too close to a boundary may cause a loss of sunlight or daylight to a neighbour's window or garden, while a large expanse of brickwork can be overbearing.
12. The proposed three storey rear extension would have an eaves height of around 6.1m. It would be around 2.7m from the boundary with No 5 and, because of its position to the south east of that neighbouring property would be likely to result in some overshadowing and loss of sunlight to its rear garden. Sunlight is already likely to be limited at the rear of No 5 because of the shallow depth of the garden and its north east-facing orientation, and the extension would reduce this still further. Consequently, I consider that the additional overshadowing caused would be detrimental to living conditions for occupiers of No 5.
13. While the proposed extension would have a plain brick elevation on its western side towards No 5, there would be a gap of around 2.7m to the common boundary, and the habitable rooms within No 5 are a similar distance again beyond the boundary. Although I have found that the size and, in particular, the depth of the extension would be harmful because of its negative impact on the character and appearance of the area as already described, because of the separation from the habitable rooms of No 5 I do not consider that it would be overbearing or harmful to outlook, although this does not negate the harm which I have found would be caused by overshadowing.
14. Because of the change in building line between No 6 and No 7, I do not consider that the proposed extension would be overbearing when seen from No 7. The Council's suggestion that the proposed extension would result in overshadowing of the rear garden of No 7 after around 6pm appears to my mind to be based on a misreading of the sun path diagram provided by the appellant. The appeal property is to the north west of No 7, and any possible overshadowing which the extension would cause would be limited to very late evenings around the peak of summer, at times when the sun would already be very low in the sky. In my view this could not amount to causing significant harm to the occupiers of No 7.
15. I conclude that the proposed extension would cause be harmful to living conditions for the occupiers of No 5 Robin Road as a result of overshadowing of the rear garden, although it would not be overbearing for the occupiers of that property, nor would it be harmful to occupiers of the other adjacent property No 7 Robin Road. As a result of the harm in respect of No 5, the proposal conflicts with Policy L7 of the TCS which among other things seeks to ensure that development protects the amenity of neighbouring occupiers by avoiding

causing unacceptable overshadowing. For the same reasons the proposal conflicts with the requirements of the Framework which seek to achieve well-designed places, in particular the provisions of paragraph 130.

Other Matters

16. I note that the Council has no objection to a residential extension in principle, and based on the evidence before me I see no reason to take a different stance. The appellant states that the scheme before me has been modified from the original proposal put before the Council. However, while the appellant's evidence outlines the evolution of the scheme, I consider that it remains unacceptable for the reasons I have set out above.
17. The appellant has also referred to his family circumstances; in particular the need to provide a ground floor bedroom and bathroom for his elderly mother who has limited mobility, although also the desire to provide expanded living space to meet the potential future needs of his three children. While the appellant's description of the dwelling as currently having three bedrooms does not tally with the submitted drawings, which show it to have four, I am nonetheless sympathetic to the appellant's wish to provide more, or more suitable, space for his family. I note also the letter from the appellant's mother's GP provided in support of the proposal. However the situation is one faced by many families, and I am mindful that personal circumstances rarely outweigh planning concerns.
18. In this case, I am not persuaded that adaptations or extensions which may be required to support the needs of the appellant's mother on the ground floor justify a bulky and intrusive addition to the upper floors of the building which would cause significant harm to the character and appearance of the area as well as to neighbours' living conditions. It is also likely that the proposed extension would remain in place long after the current personal circumstances cease to be relevant.

Conclusion

19. The proposed rear extension would be harmful to the character and appearance of the area, and to neighbours' living conditions. The proposal therefore conflicts with the development plan taken as a whole. There are no material considerations, including the Framework, which indicate that a decision should be made other than in accordance with the development plan. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector