



Appeal Decision

Site visit made on 6 January 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21/01/2022

Appeal Ref: APP/M0655/D/21/3284846

44 Kilsyth Close, Poulton-With-Fearnhead, Warrington WA2 0SQ

- 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 Elaine Holme against the decision of Warrington Borough Council.
 - The application Ref 2021/39112, dated 25 March 2021, was refused by notice dated 3 September 2021.
 - The development proposed is two storey front extension and single storey side extension including part garage conversion.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the:
 - Character and appearance of the area; and
 - Living conditions of neighbouring residents with respect of light and outlook.

Reasons

Character and Appearance

3. The appeal site is located adjacent to the entrance to a cul-de-sac serving a small number of dwellings, and due to this location the site is prominent within the streetscape. Although the existing garage is located in close proximity to the side boundary, the front and much of the side of the appeal site have an open character due to an open plan front garden and low means of enclosure to the side of the dwellinghouse.
4. The single storey side extension would project forwards of the detached garage to the rear of the property. The garage is set back from the edge of the highway by a flower bed, and this would also separate part of the extension from the highway. However, the projection of the extension along the side of the property would introduce an extent of flank wall that would be prominent in views of the access to the dwellings to the rear. This extension would significantly harm the open appearance of the side of the site, and would appear as a stark, angular and enclosing feature in views of the access to the dwellings to the rear.

5. The roof of the single storey extension would also not respect the arrangement of the main roof of the dwelling, which would add to its incongruous appearance.
6. The single storey extension would be set back from the main front elevation of the dwelling, and the flower bed would be retained. However these matters would not mitigate the unacceptable harm arising from the design of this element of the proposal in respect of character and appearance.
7. The two-storey extension to the front would be a prominent addition to the dwelling, and there are no properties in the immediate area which have a similar design feature. However, the extension would be set down from the ridge of the roof of the host building, would cover a limited extent of the front elevation, and would be viewed against the projection of the neighbouring dwelling. There is also a significant variation in the design of dwellings in this area, and whilst the proposed extension may not be typical of nearby properties it is not of such an unusual design as to appear as an incongruous addition to the streetscape.
8. Notwithstanding my conclusions in respect of the front extension, I conclude that the proposed side extension would lead to significant harm to the character and appearance of the area. The proposal would therefore conflict with the character, appearance and street scene requirements of policy QE 7 of the Local Plan Core Strategy 2014 (the Core Strategy). The proposal would also be contrary to the advice of the House Extensions Supplementary Planning Document 2021 (the SPD) with regards to the character and appearance of the street.

Living Conditions

9. The proposed two-storey front extension would project to almost directly in line with a side window on a neighbouring dwelling. I saw that this window has obscure glazing and the evidence suggests that it serves a bathroom or toilet. The SPD sets out that bathrooms will not normally be considered to be a habitable room. Nevertheless, the arrangement of the sites ensures that this window currently receives a suitable amount of natural light and an appropriate outlook.
10. However, whilst I am mindful of the nature of the room served by the window, the proposed front extension would be located in very close proximity to it. Due to this arrangement, the proposal would lead to a significant reduction in the amount of natural light reaching this window, leading to a dark and gloomy environment for residents who would most likely need to rely on artificial light.
11. Due to the proximity to the window, the extension would also lead to an oppressive effect on the outlook for neighbouring residents, even allowing for the obscured nature of the glazing and the function of the room.
12. I conclude that due to its scale and proximity, that the proposal would lead to significant harm to neighbouring residents with regards to outlook and light. The proposal would therefore conflict with the amenity requirements of policy QE 6 of the Core Strategy. Whilst I acknowledge that the proposal would not affect a habitable room within the terms of the SPD, it would conflict with the aims of the SPD in respect of the impact on amenities of neighbouring residents.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR