



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/21/3281830

1 Sedgewick Crescent, Burtonwood and Westbrook, Warrington WA5 4PP

- 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 Paul Lawton against the decision of Warrington Borough Council.
 - The application Ref 2020/38422, dated 21 December 2020, was refused by notice dated 11 August 2021.
 - The development proposed is part single storey part two storey side and front extension.
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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 residents of 3 Sedgewick Crescent with regards to outlook and light.

Reasons

Character and Appearance

3. The appeal site consists of a semi-detached dwelling within a suburban estate, located near to the junction between Sedgewick Crescent and Hawkshead Road. The appeal site is prominent within the streetscape due to its corner location and the projection of the dwelling beyond the front elevation of neighbouring properties on Sedgewick Crescent.
4. The proposal would be set at an angle so that the two-storey element of the extension would not project closer to the highway than the existing dwelling, and it would be set back from the main front elevation. However, this arrangement would result in an extension of an awkward and contrived appearance, particularly in respect of the incongruous roof form and the angled gable wall. This design would contrast uncomfortably with the more conventional design of the host dwelling and nearby properties.
5. The proposal would also reduce the visual separation between the appeal site and the neighbouring property of 3 Sedgewick Crescent. Whilst a gap between

the buildings would be retained, even allowing for the angled arrangement of the two-storey element of the proposal, the reduction in the space between the buildings and the projection of the extension beyond the front elevation of the neighbouring building would result in an obtrusive and overdominant feature in views from Sedgewick Crescent.

6. I acknowledge that the roof of the proposal would be lower than the ridge of the roof of the host dwelling, and that the first floor and above would be set back from the front elevation. However, this does not outweigh my concerns about the harm arising from the design of the proposal.
7. I conclude that due to its siting and design that the proposal 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 original house and the street.

Living Conditions

8. The SPD includes a '45 Degree Code' where an extension should not cross a horizontal 45 degree plane taken from the centre point of a habitable room window of a neighbouring property. The single storey element of the appeal proposal would conflict with that Code in respect of a ground floor window at no 3.
9. There is an existing detached garage at the appeal site which would be demolished. This garage is located close to the boundary with No 3 and also projects into the 45 degree plane. However, the appeal proposal would project further forwards than the existing garage and would have a roof with a higher ridge height. Due to this massing and projection, the appeal proposal would have an unacceptably obtrusive and overbearing effect in the outlook from No 3 even compared to the existing garage.
10. The element of the appeal proposal affecting No 3 would be a single storey, and the proposal would be set slightly further from the boundary than the existing garage. However, these matters are not sufficient to mitigate the harm arising from the proposal. I acknowledge that the 45 Degree Code is a rule of thumb and a breach does not automatically lead to a refusal, particularly for single storey extensions. However it is a useful means of assessing the effect on outlook, and in any event I have reached my own conclusions on this issue based on the evidence before me.
11. The Council Officer's report also refers to the effect on light reaching the windows of No 3. However, due to the height and arrangement of elements of the proposal closest to No 3 I do not consider that this would lead to unacceptable overshadowing of habitable rooms.
12. Notwithstanding my conclusion in respect of light, I conclude that due to its scale and location that the proposal would lead to significant harm to the outlook from No 3. The proposal would therefore conflict with the amenity requirements of policy QE 6 of the Core Strategy. The proposal would also conflict with the advice 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