



Appeal Decision

Site visit made on 2 February 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st February 2023

Appeal Ref: APP/M0655/D/22/3313342

17 Matlock Close, Great Sankey, Warrington, WA5 3PZ

- 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 David Harvey against the decision of Warrington Borough Council.
 - The application Ref 2022/41322 dated 30 March 2022, was refused by notice dated 28 September 2022.
 - The development proposed is increase in roof pitch and overall height of garage to provide additional storage space.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my site visit the proposal had already been started and thus is a partly retrospective application. It had not, however, been finished.

Main Issues

3. The main issues are the impact of the proposal upon i) the amenity of neighbouring residents with regard to overbearingness, intrusiveness and a sense of enclosure and ii) the scale and character of the surroundings.

Reasons

4. The appeal site is a two-storey detached dwelling located on a corner plot within a residential area. I note from my site visit, and the submission documents before me, that the host property benefits from existing extensions including a two storey side extension, a single storey porch extension and the provision of the detached pitched roof garage which is now the subject of this appeal. The proposal seeks to increase the ridge height of the existing garage by around 1.32 metres and 0.68 metres at the eaves (resulting in an increase in wall height of 0.86m) utilising materials to match existing.
5. Reference is made to what I presume are report extracts from the original permission for the garage (2007/09861) in the application form, however, the proposal is materially different as a result of the change to the roof pitch and increase in height proposed. This should be assessed on its own merits.

Residential Amenity

6. The refusal reason is based upon the residential amenity of 15 Matlock Close (no. 15) with regard to overbearing, intrusive and enclosing effect on occupiers

- of the property. For the avoidance of doubt the appeal will focus on this as the first main issue. The Council have assessed the impact upon other neighbouring properties and, having considered this assessment along with what I saw at the time of my site visit, I have no evidence before me to conclude differently with regard to these properties and their amenity. No. 15 is the nearest property with the garage structure standing immediately adjacent to the shared boundary. No loss of light, nor matters relating to overlooking, is given as a reason for refusal and I have no reason to conclude differently on these matters with regard to no. 15.
7. At the time of my site visit I entered the garden of no. 15 and viewed the appeal proposal from within the neighbouring garden. The proposal would result in an increase in height immediately adjacent to the side boundary and be around 2.4 metres from the conservatory extension to the rear. I find that the increase in wall height of the garage (0.68m increase to the eaves, resulting in built form at 3.2m to the eaves adjacent to the boundary) combined with overall height and roof pitch would result in a garage of notable height along much of no. 15's northern boundary beyond the conservatory.
 8. Even incomplete at the time of my site visit the increase in eave height had largely been completed and the proposal was already a notable structure when viewed within the garden of no. 15. I find that the addition of the roof at the proposed, overall, height of 5m, would result in an oppressive vertical extension which would be over-dominant in general views and outlook from both the garden and the conservatory extension even taking into account that the roof slopes away from the boundary with no. 15.
 9. The proposal would present as overbearing, intrusive and enclosing to an extent I find would be unacceptable for existing and future occupiers of the neighbouring dwelling at no. 15. I note the correspondence from the occupiers of no. 15; however, a lack of objection is a neutral consideration. Even if I had found the proposal to be acceptable in terms of neighbouring residential amenity the appeal would still have failed as a result of scale and character as outlined below.
 10. The proposal would be contrary to Warrington Local Plan 2014 (LP) Policy QE6 which seeks to ensure that proposals do not lead to an adverse impact on the amenity of current or future occupiers or those currently occupying adjoining or nearby properties. The proposal would also be contrary to House Extensions Supplementary Planning Document 2021 (SPD) guidance which seeks to ensure outbuildings do not result in adverse impact upon the direct outlook from a neighbour's ground floor habitable room or garden area.

Scale and Character

11. At the time of my site visit I noted a number of single storey garages, of similar height and scale to the existing garage at the appeal site, along Matlock Close to the South of the appeal site. These are part of the character of the area in that they are (apart from that at no. 1 Matlock Close) all set back within the plot, with parking to the front. They are both subservient and limited in scale compared to their host dwelling within the sites. This is also the case for the garage at the immediately adjacent property at no. 15.
12. The existing low pitched roof, and overall height, of the existing garage at the appeal site ensures that, similarly to those garages to the South, it is viewed

within the street scenes as a subservient building to the dwelling itself within the garden. The garage is of limited visibility from Matlock Close to the East due to the setback from the road at the back of the driveway but the proposal would be in clear views from the small cul-de-sac to the North which also forms part of Matlock Close. The existing garage is also noted to be generally consistent with the eave height of the immediately adjacent garage for no. 19 albeit it does have a slightly higher overall ridge height. Despite this they are viewed harmoniously side by side in their current form with neither dominating nor detracting from each other within the street scene.

13. An increase in overall height of 1.32 metres, and increase roof pitch, I find would present as uncharacteristic when considering other garage structures within the vicinity which form part of the intrinsic features which are part of the character of the area. The scale would present as an unnatural and notably visible contrast that would appear overly dominant when viewed from neighbouring properties and within the adjacent cul-de-sac. The proposal would be exacerbated by the stark contrast to the neighbouring garage at no. 19 (already demonstrated within the image provided on page 9 of the appellant statement) which would highlight the increased scale even further, contributing to it presenting as an incongruous addition within the street scene.
14. In addition I find that the increased scale, in close proximity an existing elevation of the host dwelling and adjacent the site boundaries, would appear as overdevelopment of the plot as a result of increased height and overall scale as proposed. It would fail to be a subservient outbuilding and would detract from the character of the host dwelling. The proposal would not harmonise with the scale or character of the area for the reasons outlined above and would result in unacceptable impact to the visual amenity of the area. I note the stated setback from the road as well as trees, and fencing, along the northern boundary but I do not find that these would reduce the harm that I have identified particularly within views from the end of the cul-de-sac or neighbouring properties with regard to general character of the surrounding built form. This harm is not reduced by the small number of the properties within the cul-de-sac.
15. I note reference is made to the double garage serving no. 23 and no. 25 Matlock Close but I find this integrates well with the street scene and does not result in the same issues I have outlined as a result of the differing setting and relationship with surrounding built form. Whilst I have not measured the double garage in question, based upon my observations at the time of my site visit, I would not have said that the ridge height was comparable to the proposal before me (i.e. in the region of 5 metres). Taking into account the size of the garage doors themselves, as well as the door and window to the side elevation, based on standard sizes for such doors the garage presents as in the region of 4 metres which would also be consistent with the Council's assessment that garages in the area do not appear to exceed 4.2 metres.
16. The proposal would be contrary to LP Policy CS1 which seeks to secure high standards of design that have regard for local distinctiveness and LP Policy QE7 which seeks to ensure that proposals enhance the character, appearance and function of the street scene and harmonise with the scale and proportions of adjacent or existing buildings. The proposal would also be contrary the SPD guidance which states that outbuildings should not be so extensive in relation to the size of the garden as to be overdevelopment that would be out of

keeping with the character of the area and should not be intrusive in the street scene.

Other Matters

17. An objection to the proposal is noted. I have dealt with matters regarding scale and character within the main issues of this decision letter. Redrow Building Clauses are a private matter outside the scope of this appeal as is the supervision of the building works. The fact that the proposal is partly retrospective does not change the basis for determination, nor is it a reason to withhold permission.

Conclusion

18. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR