

Appeal Decision

Site visit made on 13 November 2023

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th November 2023

Appeal Ref. APP/H4315/D/23/3326616

2 Kennet Road, Haydock, St Helens WA11 0HP

- 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 Lee Jackson against the decision of St Helens Metropolitan Borough Council.
 - The application ref. P/2023/0164/HHFP, dated 12 March 2023, was refused by notice dated 21 July 2023.
 - The development proposed is described on the application form as “*Two story (sic) rear extension to form lounge and bedrooms.*”
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Decision

1. The appeal is allowed and planning permission is granted for 2-storey rear extension to form lounge and bedrooms at 2 Kennet Road, Haydock, St Helens WA11 0HP in accordance with the terms of the application ref. P/2023/0164/HHFP, dated 12 March 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (drawing no. P13584 dated 21/05/2021); Proposed Block Plan (drawing no. P13584 dated 18/06/2021); Existing and Proposed Plans and Elevations (drawing no. P13584 sheet 1); Building Regulations Plan (drawing no. P13584 sheet 2); and Roof Plan Layout/Sectional View (drawing no. P13584 sheet 3).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Main issue

2. The sole main issue is the effect of the proposed extension upon the residential amenity and living conditions of the neighbours at 43 and 45 Wyedale Road with particular regard to the potential for any overbearing effects on outlook.

Reasons

3. Kennet Road is a short cul-de-sac in a residential area. Including no. 2, it has 7 detached 2-storey houses aligned gable end on to the road. The appeal site lies
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towards the junction between Kennet Road and Wyedale Road, such that its northern side boundary marks the back garden boundaries of 4 houses on Wyedale Road (nos 41-47). The northern flank wall of the appeal property itself abuts the rear garden boundaries of 41 and 43 Wyedale Road. On the southern side of the appeal site, I noted that 4 Kennet Road has a 2-storey rear extension that projects further to the rear than the appeal extension would do.

4. The proposed extension would allow for an additional bedroom (making 4 bedrooms in total), a new bathroom and an extended ground floor lounge. It would involve the simple continuation of the existing pitched roof, project rearwards by 3 m across the full width of the house and be finished with matching tiles and bricks. The blank northern side of the proposed extension would lie alongside parts of the rear garden boundaries of 43 and 45 Wyedale Road and face towards the rear elevations and back gardens of those dwellings.
5. There is guidance on minimum separation distances between neighbouring properties in the Supplementary Planning Document titled *Householder Development* June 2011 (SPD). The SPD explains that a separation distance of 12.5 m should be maintained or provided for where rear habitable room windows face onto a blank gable wall. The Council accepts that the appeal scheme would accord with the SPD in this regard insofar as its physical relationships to 43 and 45 Wyedale Road are concerned.
6. Such a standard amounts to guidance as opposed to planning policy and should not be applied prescriptively to the exclusion of all other factors and the context of the site. Still, there would have to be a strong reason to depart from it, especially when the scheme would also comply with the more detailed and specific advice and guidance on single-storey rear extensions and 2-storey rear and first floor rear extensions found in paragraphs 4.9 to 4.13 inclusive of the SPD, when read as a whole.
7. The proposed addition would not result in the overall outline or silhouette of the northern flank wall and roof of the host property undergoing any dramatic physical change as perceived in the outlook from the rear windows and back garden of 43 Wyedale Road. The extension, the height and massing of which would not be excessive for any reason, would be viewed from there very much in the context of the existing host building. The scheme would not bring the flank wall of the host dwelling any closer to 43 Wyedale Road than the existing north-facing flank wall of the appeal property which already lies across a substantial proportion of the back garden boundary of no. 43. Given the pitched roof shape, the extension's opposing roof would slope away from the common boundary with no. 43, thus minimizing any unneighbourly physical impacts. A sizeable shed in the back garden of no. 43 would stand between the extension and the rear elevation of that neighbouring property.
8. The extension would encroach along the common boundary with 45 Wyedale Road by only a nominal amount. It would not result in a materially different layout or physical relationship to that pertaining between the existing host dwelling and 41 Wyedale Road. There is also a large intervening garage building which dominates the rear garden of 45 Wyedale Road.
9. I am satisfied that the proposed development would not be perceived to possess a looming or overbearing presence. It would not adversely affect the immediate

outlook of the neighbours at 43 and 45 Wyedale Road to such an extent as to justify refusing planning permission. Furthermore, even allowing for the extension's siting on the southern side of those 2 neighbouring houses, I consider that any overshadowing or loss of light that might be experienced by the neighbours there in their habitable rooms and garden areas would not be unduly significant.

10. These findings are bolstered by the fact that the occupiers of 43 and 45 Wyedale Road did not raise objections. Rather, they wrote letters in support of the application. This cannot be dismissed. It is a material consideration in favour of the appeal scheme as is the enlargement and enhancement of the internal accommodation at the host dwelling that the appeal proposal would provide.
11. Drawing these threads together, I find on the main issue that the proposed extension would avoid any unacceptably harmful impacts on the residential amenity and living conditions of the neighbours at 43 and 45 Wyedale Road with particular regard to the potential for any overbearing effects on outlook. Thus, there would be respect for the aims of Policy LPD04 of the St Helens Borough Local Plan up to 2037 which indicates that proposals for the extension of an existing dwelling will be approved where they would not have an overbearing or over-dominant effect on the outlook from any habitable room or garden in any neighbouring dwelling. There would be compliance with the National Planning Policy Framework because the scheme would create a well-designed place with a sufficiently high standard of amenity for existing and future users.
12. The Council, correctly in my view, did not identify an excessive loss of amenity for any other neighbouring properties for any reason or point to a negative impact upon the character and appearance of the existing dwelling and its surroundings in terms of the extension's scale, size, design and facing materials.
13. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings is necessary as this provides certainty. I have also imposed a condition requiring the use of external materials that match those of the existing building to ensure that the development would safeguard the character and appearance of the area.
14. For the reasons given above and having regard to all other matters raised, including the medical documents presented by the appellant, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR