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## Appeal Decision

Site visit made on 23 January 2024

**by Sarah Colebourne MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 February 2024.**

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**Appeal Ref: APP/M0655/D/23/3334058**

**212 Manchester Road, Woolston, Warrington, WA1 4DE**

- 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 Miss Platt against the decision of Warrington Borough Council.
  - The application Ref 2023/00753/FULH, dated 16 June 2023, was refused by notice dated 8 November 2023.
  - The development proposed is described as a 'New garage in replacement of original timber clad garage. Garage now built, but height of eaves are proposed to be dropped from 2.93m to 2.5m'.
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### Decision

1. The appeal is allowed and planning permission is granted for a garage with height of eaves to be dropped from 2.93m to 2.5m at 212 Manchester Road, Woolston, Warrington, WA1 4DE in accordance with the terms of the application, Ref 2023/00753/FULH, dated 16 June 2023, subject to the following conditions:-
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1542\_01; 1542\_02\_01.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing garage building.

### Preliminary matters

2. The description of the proposal in the Council's decision is 'Retention of garage but height of eaves are proposed to be dropped from 2.93 to 2.5m'. As this describes the proposal more succinctly, I have used it in the formal decision above but have omitted the word retention because S55 of the 1990 Act describes 'development' as 'the carrying out of building etc. operations or the making of material changes of use' and not as their 'retention' or 'continuation'.
3. In December 2023 the Council adopted the Warrington Local Plan 2021/2022-2038/2039 (LP) which forms the development plan for the borough and has replaced the Local Plan Core Strategy (2014) referred to in the Council's decision. The parties were given the opportunity to make any further comments in regard to this.

4. Since the Council's decision, a certificate of lawful use/development (ref:2023/01548/CLDP) has been granted for a smaller outbuilding in a similar position but sited slightly further from the side boundary with the neighbouring property to the west at 2 The Maples and slightly further from the northern rear boundary. The parties were also given the opportunity to make further comments in respect of this.
5. I was unable to view the proposed development from the appeal site itself as the site visit was postponed to the following day from the original visit due to weather and travel conditions and access was unavailable. However, on the basis of what I saw from the surrounding area, including 2 The Maples, I am satisfied that I have sufficient evidence to deal with the appeal and have done so on that basis.

### **Reasons**

6. The main issues in this appeal are the effect of the proposed development on:-
  - the character and appearance of the dwelling and the area;
  - the living conditions of the neighbouring occupiers, in terms of outlook.

#### *Character and appearance*

7. The most relevant development plan policies are DC6 and ENV8 in the LP which, like the policies they have replaced, together seek to encourage good design and ensure that development does not result in a harmful impact on the built environment and makes a positive contribution to the surrounding area, having regard to matters that include scale, height and massing. The National Planning Policy Framework and the Council's guidance in its House Extensions Supplementary Planning Document (SPD) (2021) have a similar objective.
8. The appeal site is located on the busy A57 within a suburban area. The appeal site and its neighbours to the west form a group of six large detached properties sited on large plots that have direct access from the A57 and are set back significantly from the carriageway behind a deep grass verge and the footway. The appeal dwelling has a more secluded setting than the other dwellings, which have lower front boundaries and more open frontages, and is screened largely from view by very tall trees which include a number of conifers along the front boundary.
9. The existing garage has replaced a previous garage in the same position which had planning permission. An application for the existing garage was refused in 2022. This proposal seeks permission for the garage as existing but includes a reduction in the height of the eaves.
10. The existing garage is set back from the rear elevation of the dwelling and to the western side of that, broadly parallel and close to the side boundary with 2 The Maples. According to the plans, it measures 12.3m in length, is 7.66m wide, with a ridge height of 4.0m and an eaves height of 2.93m. It has a brick base, walls of vertical dark green cladding and a shallow pitched roof of green metal cladding. The proposed scheme differs with a gambrel style roof of the same height and a reduced eaves height of 2.5m.
11. The garage is not seen clearly within wider views along the street and in terms of public viewpoints can only be seen from the highway immediately outside

the drive and across the side garden of 2 The Maples at some distance and screened partially by planting within that garden. It is set back significantly from the footway and from the dwelling and its length is not clearly apparent when seen from there. Although the gambrel style roof would differ from the traditional pitched and gabled roof of the house, it is not an attached garage and the degree of separation and set back from the house does not require an identical roof design. Moreover, it would help reduce its mass sufficiently and it would appear less dominant than the existing garage when seen in those views.

12. I saw at my visit that two other dwellings in this group to the west also have detached garages that are set back and whilst I have noted that those have a more domestic appearance with traditional brick and tile materials, they have a closer relationship with their neighbours and are more prominent in the street scene. Whilst the cladding materials proposed here differ from those of the dwelling and are not generally found in suburban locations, they are of good quality and are similar to those found in residential outbuildings in more rural locations. The dark colour of the wall cladding helps the garage to sit comfortably within the substantial planting along the front and side boundaries and within the rear garden of the appeal site and the lighter colour of the roofing materials does not stand out against the backdrop of the sky. Given the landscaped character of its siting, those materials are acceptable and given the significant set-back, the garage is not and would remain not unduly noticeable or prominent within the street scene.
13. The outbuilding approved under ref:2023/01548/CLDP would have slightly less impact in terms of character and appearance due mainly to its reduced width at 6.26m (given that the difference in height and siting would be only very slight and that the length of the existing building is not clearly perceived from the street). However, even in terms of width, the difference would not be significant. It seems to me a realistic and likely possibility that this building would be erected if the appeal were dismissed and if so, there would be little difference in terms of character and appearance. This matter adds further weight to my findings.
14. I conclude then that the proposal would not result in significant harm to the character or appearance of the dwelling or the area and would accord with the LP policies, the SPD and the Framework referred to above.

#### *Living conditions*

15. LP policies DC6 and ENV8 also seek to ensure that development does not unacceptably harm the amenity of neighbouring occupants and in this respect have a similar objective to the policies they have replaced and to the SPD and the Framework.
16. 2 The Maples is a large, detached, two storey dwelling sited on a very large plot with sizeable gardens to the rear and to both sides. The proposal would be sited some 13m from the nearest side elevation of that dwelling. That elevation includes four windows to habitable rooms at ground floor level.
17. From the nearest side windows and the side garden, the full 12.3m length of the existing garage can be seen. There is substantial planting within the garden along the boundary that screens most of the side wall of the building but the roof can be seen clearly. The proposal would, through the lowering in

- eaves height, reduce further the extent of side wall seen although the ridge height would remain as existing and the roof would remain visible.
18. Although the appellant says that the previous garage was 15.2m long and had a larger footprint, the site plans submitted with the current proposal and a photograph provided by the neighbouring occupier indicate that some 5m of that comprised a section at the northern end that was significantly lower in height and appears to have had a flat roof. As such, the main part of that building appears to have been some 10.3m in length and around 2m shorter than this proposal.
  19. However, even with the additional two metres or so of roof that is and would remain seen above the existing planting, despite the proximity to the boundary, the proposal does and would occupy less than a third of the length of the side boundary of this large garden. I noted at my visit that one of the side windows is a secondary window to a room which has its principal window facing the rear garden and that there are additional habitable rooms on the other side of the dwelling which face onto the rear garden and the garden on the other side. I also saw that the principal sitting out area is located adjacent to the rear elevation with an aspect onto the rear garden in addition to the side garden. A further sitting out area is located in the north-east corner of the garden and faces in a south-westerly direction towards the house rather than towards the proposal.
  20. Although the proposal would remain larger than the previous garage and the roof would remain clearly visible above the existing planting, it does not follow that all buildings that are visible are unacceptably dominant and overbearing. In the context of its surroundings, given the size and internal layout of 2 The Maples, the distance from its windows, the size and layout of the gardens and the position of sitting out areas, the proposed garage would not appear unduly overbearing or dominant and the neighbouring occupiers would remain able to enjoy a predominantly green, spacious and open outlook from their house and garden.
  21. I have taken into account the appellant's fallback position that if this appeal were dismissed, an outbuilding with a reduced length of 10.53m and width of 6.26m and a very slightly lower ridge height at 3.905m, in a similar position but sited slightly further from the side and rear boundaries, could be erected under the certificate of lawful use/development granted recently. Whilst the reduced length in particular would have slightly less impact on the neighbours' outlook, the difference of only 1.77m would not be significant. It seems to me a realistic and likely possibility that this building would be erected if the appeal were dismissed and if so, there would be little difference in terms of the impact on 2 The Maples. This matter adds further weight to my findings.
  22. I have also had regard to the relationship of the proposed building to other neighbouring occupiers, including those at 159 Berkshire Drive to the north and 155 Berkshire Drive to the east, but given the size of the appeal site and the surrounding gardens and the distance from those dwellings, I am satisfied that there would be no adverse impact on those occupiers.
  23. I conclude then that the proposal would accord with the LP policies, the SPD and the Framework referred to earlier and would not cause significant harm to the living conditions of the neighbouring occupiers.

### **Conditions**

24. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, in order to provide certainty. A condition requiring matching external materials to the existing garage is necessary in the interests of character and appearance.

### **Conclusion**

25. For the reasons given, I conclude that the proposal would accord with the development plan and with the Framework and that there are no material considerations that would outweigh this. The appeal should be allowed.

*Sarah Colebourne*

Inspector