



Appeal Decision

Site visit made on 13 May 2024

by T Bennett BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2024

Appeal Ref: APP/D0650/D/23/3334928

17 Woodland Avenue, Halton, Widnes WA8 7DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Carley Stockton against the decision of Halton Borough Council.
 - The application Ref is 23/00066/FUL.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 17 Woodland Avenue, Halton, Widnes WA8 7DS in accordance with the terms of the application, Ref 23/00066/FUL, 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: WA8 7DS/17/01 and WA8 7DS/17/02.
 - 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 building.

Preliminary Matter

2. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the neighbouring occupants of 19 Woodland Avenue with particular regard to outlook and light.

Reasons

4. 17 Woodland Avenue (No 17) is a detached dwelling with a single-storey side and rear extension that runs the length of the dwelling and follows the shared boundary with 19 Woodland Avenue (No 19). Due to the curvature of the road, the two properties are angled slightly away from each other.
5. No 19 has a ground-floor side bay window which faces the side elevation of No 17. The current outlook from this window is towards the wall of the appellant's single-storey side extension. There is also an existing single-storey side extension at No 19, sited immediately adjacent to the bay window. Given these circumstances, outlook is already restricted from this window. While the proposal would be visible at an oblique angle from the window, the limited depth and set back of the proposal, which tapers progressively away from the shared boundary, means that it would not appear overbearing. The direct outlook from the window would remain towards the ground-floor wall of the side extension at No 17. Accordingly, the proposal would not harmfully diminish the outlook from this window over and above the existing situation.
6. The proposed extension would be north-east of No 19. Thus, whilst there would be some impact on sunlight to the ground-floor side window at No 19, this is likely to be minimal due to the orientation and surrounding built form. Moreover, the ground-floor side window is a secondary window to the kitchen/diner. The primary window to this room would be unaffected by the proposal and would remain as the principal source of outlook and natural light, owing to its south-east orientation and open aspect onto the rear garden.
7. There are two first-floor side windows at No 19, one of which is obscurely glazed. Given the angled relationship with the appeal property, the set back of the proposal from the shared boundary and the proposed hipped roof which would slope away from No 19, I am satisfied the proposal would not detrimentally impact the outlook from, and light received to these windows.
8. For the reasons above, the proposal would have an acceptable effect on the living conditions of the occupants of 19 Woodland Avenue, with regard to outlook and light. It would therefore accord with Policy GR2 of the Halton Delivery and Allocations Local Plan (2022). This, amongst other matters, seeks to ensure development maintains a high standard of amenity and outlook.

Other Matter

9. Concerns raised around damage to property resulting from the development would be a civil matter between the relevant parties and is not within my jurisdiction, which is focused on the planning merits of the proposal.

Conditions

10. In addition to the standard time period for commencement of the development, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. In the interests of the character and appearance of the area, a condition relating to matching materials is also necessary.

Conclusion

11. For the reasons above, the development would accord with the development plan taken as a whole. There are no other material considerations that indicate that a decision should be determined other than in accordance with it. Therefore, I conclude that the appeal should be allowed subject to conditions.

T Bennett

INSPECTOR