



Appeal Decision

Site visit made on 13 August 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th August 2024

Appeal Ref: APP/Q4245/D/24/3345793

31 Albert Road, Hale, Altringham WA15 9AH

- 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 Mr and Mrs S Chilvers and Oulton against the decision of Trafford Borough Council.
 - The application Ref is 112834/HHA/24.
 - The development proposed is the erection of a single storey rear/side extension and alterations to driveway.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The council indicated that the site visit should include a visit to 29 Albert Street but no one was able to provide access to this neighbouring dwelling. However, the rear elevation of this dwelling was fully visible from the garden of the appeal property.

Main Issue

3. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 29 Albert Road.

Reasons

4. The appeal property is a 2-storey terraced dwelling situated within a predominantly residential area. To the rear of the property is a 2-storey outrigger with a single storey addition. The proposed development includes the erection of a single storey extension which would infill the existing gap between the flank wall of the outrigger/single storey addition and the shared boundary with 29 Albert Road. This boundary is currently defined by a circa 1.8 metre high brick wall. Within the rear elevation of No. 29 is a glazed door which serves a living room. There is also a window within the side elevation of the outrigger of No. 29 which faces towards the shared boundary with the appeal property. This window serves a combined kitchen and dining room.
5. The eaves of the proposed extension would be about 2.1 metres high with a primarily glazed roof sloping away from the shared boundary. The ridge height of the roof would be more than 2.7 metres. There would be a hipped roof

where the proposed extension would wrap around the end of the outrigger onto the footprint of the existing single storey addition.

6. By reason of the brick boundary wall and the proximity of the property's outrigger to the shared boundary, the appellants' claim concerning the outlook from the rear and side openings of No. 29 already having a sense of enclosure is acknowledged. However, although the eaves height of the proposed extension would not be significantly higher than the boundary wall, the length, overall height and bulk of the proposed extension would significantly diminish further the outlook from the openings of No. 29.
7. Even considering the glazed roof proposed, there would be an increase in the sense of enclosure from both the openings and a greater tunnelling effect in the outlook from the rear window of No. 29. For these reasons, the proposed extension would represent an overbearing form of development for the occupiers of the neighbouring property
8. For these reasons, the proposed extension would conflict with Policy L7 of the Trafford Local Plan Core Strategy (CS) where, amongst other matters, development should not prejudice the amenity of occupants of adjacent properties, including by reason of being overbearing. There would also be a conflict with the guidance contained in the council's Supplementary Planning Document 4: *A Guide for Designing House Extensions and Alterations* (SPD4), particularly siting an extension too close to a shared boundary resulting in an uncomfortable sense of enclosure for the neighbouring property.
9. This appeal is required to be assessed against the relevant development plan policies. However, the appellants have referred to permitted development rights being available to erect a 3 metre long extension adjacent to the shared boundary. An application to determine whether prior approval is required for a 6 metre long extension adjacent the shared boundary with No. 29 has been submitted but the outcome is unknown. Both these potential alternative schemes represent fallback positions in the event this appeal fails and are material considerations to which significant weight is given in the determination of this appeal.
10. To different degrees, the alternative schemes would have an impact on the outlook of the occupiers of No. 29 and there would be some additional tunnelling effect, especially because of the height of the side elevations could be constructed. However, the length of the proposed extension would be longer than either of the fallback schemes. For this reason, the proposed extension would have a greater impact on the outlook of the occupiers of No. 29 because of the length of the extension visible above the wall and the increased tunnelling effect. Accordingly, it is concluded that this appeal should be dismissed because the proposed extension would cause unacceptable harm to the living conditions of the occupiers of 29 Albert Road and, as such, would conflict with CS Policy L7 and the guidance contained in the SPD4.

D J Barnes

INSPECTOR