



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: 30 August 2024

Appeal Ref: APP/M0655/D/24/3343872

22 Weybridge Close, Appleton, Warrington WA4 5LZ

- 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 S Bramall against the decision of Warrington Borough Council.
 - The application Ref is 2024/00260/FULH.
 - The development proposed is the erection of a part two storey and part single storey extension to side and front.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the living conditions of the occupiers of 20 Weybridge Close.

Reasons

3. The proposed development includes a first floor front extension above an existing garage of a detached 2-storey dwelling situated within a residential area. The appeal property is sited to the rear of a front garden which is landscaped and used for parking. By reason of its siting on a corner plot, this front garden is overlooked by the first floor windows of 20 Weybridge Close. These openings include windows associated with habitable rooms. A bedroom window of No. 20 is the closest opening to the site of the proposed extension. There would be a gap of about 6 metres between the proposed extension and this window.
4. The council's *House Extensions Supplementary Planning Document* (SPD) includes guidance concerning a 45 degree code being used to help protect the amenity of neighbouring properties by preventing overshadowing or obstruction associated with large extensions on, or close to, a shared boundary. As the appellant has identified, because of their close relationship the outlook from the bedroom window of No. 20 already includes part of the first floor of the appeal property and breaches the 45 degree code.
5. By reason of the closer siting between No. 20 and the 2-storey element of the property, the proposed front extension would result in an increase in the size and massing of the resulting property which would be seen in the outlook from the bedroom window. The degree of conflict with the SPD guidance concerning

the 45 degree code would thereby increase notwithstanding there would remain a view, albeit reduced in extent, across the front garden of the property.

6. Further, the outlook from the proposed bedroom window within the front elevation of the extension would include a view towards the bedroom window of No. 20. The proposed window would have the potential reduce the privacy of the occupiers of No. 20 because of the outlook towards their bedroom window.
7. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 20 Weybridge Close and, as such, it would conflict with Policy ENV7 of the Warrington Borough Council Local Plan and the guidance contained in the SPD. Amongst other matters, this policy refers to development needing to respect the living conditions of existing neighbouring residential occupiers in relation to the loss of privacy and outlook. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR