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## Appeal Decision

Site visit made on 10 January 2025

**by A.Graham BA(hons) MAued IHBC**

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

**Decision date: 6<sup>TH</sup> February 2025**

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**Appeal Ref: APP/Q4245/D/24/3350436**

**133 Arundel Avenue, Flixton, Urmston M41 6WQ**

- 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 Mr Stephen John Williams against the decision of Trafford Council.
  - The application Ref is: 113222/HHA/24.
  - The application is for erection of two storey side and part two/part single storey rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of two storey side and part two/part single storey rear extension as per application ref: 113222/HHA/24 subject to the conditions as set out in the schedule below.

### Main Issues

2. The main issue is the effect of the proposal upon the character and appearance of the area and upon the living conditions of neighbours.

### Procedural Matter

3. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published on 12 December 2024 whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.
4. The description of development used in the heading above differs from that used on the original application form and instead the description is that as used by the Council on their decision notice. I consider that the description of development still accurately reflects the proposal before me and as such I have used this description accordingly.

### Reasons

5. The appeal property is a semi detached dormer type bungalow which is fairly typical of its age sporting large flat roof box dormers to its front roof slope elevation which extend through to its adjoining neighbour. Although there are several similar type houses within the streetscene there are also other detached and semi detached properties of similar ages but of differing architectural details. To the rear the appeal property has a generous side and

- rear garden that extends in a triangular shape and thereby opens up along neighbouring gardens to the rear.
6. There is an existing modest conservatory type extension to the ground floor of the appeal property and a further run of flat roof box dormers in the roof that are original to the house and run through to the neighbour at number 131 Arundel Avenue. Number 131 also has a single storey conservatory type extension of a more modern construction.
  7. The other neighbour at number 135 is a different house type being a full two storeys in height but it has been extended considerably to the rear and side with both a brick extension and a conservatory. There is one upper floor window that looks directly into the garden of the appeal site and I have evidence before me that this serves a bedroom. Properties to the rear, along Dunster Drive, are situated some distance away due to the generous gardens of each of the properties, the distance between rear elevations generally being over 21m.
  8. The proposal before me seeks permission for a two storey side extension so as to create a larger kitchen to the rear with utility and hallway along with two further bedrooms and a house bathroom to the first floor. The rear first floor element would be set in away from the common boundary with number 131 and would present a gable form to the rear. To the side the extension here would be set generously back from the front elevation of the house. Amended plans show the original intention to pitch over the existing flat roof dormer to be removed and there would be no windows facing towards number 135.
  9. In assessing this appeal, I consider that there is scope to extend this property and that the proposal would appear subservient enough through the generous set back of the side element. Although properties to the street frontage are placed close together, I consider that the design mitigation and differences in design would mitigate any harmful enclosure of the street. Although some extensions sport a pitched roof to such side extensions I do not consider that the context of this property demands such a concession.
  10. To the rear the distances proposed between the appeal site and those residents along Dunster Drive would be around the 20m mark and greater at some areas. Although slightly below that recommended by the Council's Supplementary Planning Document SPD4<sup>1</sup> I consider that this is sufficient to accommodate a single bedroom window looking in this direction and that there would be no harm caused through locating this window at such a distance. This situation is also no different from that of the adjoining neighbours where first floor windows also look in this direction with a similar distance between them.
  11. Although the extension would likely result in some modest overshadowing in winter of the rear upper elevation of number 131, this would be at the extremes of the day or when the sun is very low in the sky. As such I consider that the efforts made to set in this extension from the boundary and to hip the roof in this manner would be sufficient to mitigate any significantly harmful effect upon neighbours here.

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<sup>1</sup> Supplementary Planning Document 4; A Guide for Designing House Extensions and Alterations 2012.

12. With regards the opposite neighbour at number 135, the proposal would build upon the driveway to the side but would not cause any harm to the living conditions of those at number 135 due to the greater distances involved at the rear, the orientation of the properties and the amount of extensions already undertaken here. Although the side bedroom window would be slightly enclosed more than it currently is, it would still maintain more than adequate outlook and daylight.
13. In terms of the design to the rear, the potential for an awkward detail and juncture between the proposed rear extension and the existing dormer is real. However, I consider that where such contrivances arise then details could be conditioned to secure a suitable and workable outcome. I also find that there would be little harm due to the adjoining pair of houses not undertaking modifications together, although the rear elevation would inevitably become unbalanced, this would not cause any noticeable harm to the character of the area other than when seen from the rear and such changes in character already occur due to such differing housetypes and previous extensions.
14. Overall, I find the principle of this proposal to be acceptable and that there would be no significant harm to either the character of the area nor the living conditions of neighbours through it. Therefore, I find that the proposal can conform to the Policy requirements of JP-P1 of the Places for Everyone Local Plan as well as Policy L7 of the Trafford Core Strategy and the Council's Supplementary Planning Document 4.

### **Conditions**

15. In allowing this appeal I add the standard conditions as suggested by the Council to control materials and the timescale for this development. I also add the extra conditions suggested to ensure obscure glazing is placed within the proposed rear bathroom window so as to protect the living conditions and privacy of those living here. Due to the rather basic proposed plans there are also some elements that require further thought from an Architect so as to ensure that this scheme is suitable in form, design and detail. As such I consider it appropriate to request more detailed plans of the junctions between the rear extension and the existing dormer window as well as a more accurate front elevation that confirms the location of the proposed eaves height of the side extension to be approved prior to commencement of work on site.

### **Conclusion**

16. As such, for the reasons given above, and taking into account of all other matters raised, I allow the appeal subject to the conditions as set out in the schedule below.

*A Graham*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.
- 3) The development hereby permitted shall be carried out in accordance with the approved plans; Drawing 18 Proposed Rear Elevation, Drawing 19 Proposed Front Elevation, Drawings 21 and 22 Proposed Side Elevations (pitched dormers removed), Drawing 5 Proposed Ground Floor Plan, Drawing 6 Proposed First Floor Plan, Proposed Site Plan.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation of the window serving a bathroom in the first floor on the rear (south west) elevation of the extension closest to No.131 Arundel Avenue shown on the approved plan - Drawing 6, shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.
- 5) Prior to commencement of the proposed scheme, further, accurate plans and details that accurately show the details between the rear extension and the existing dormer window as well as a more accurate front elevation that confirms the location of the proposed eaves height of the side extension shall be submitted and approved by the Local Planning Authority.