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## Appeal Decision

Site visit made on 25 November 2025

by **D J Barnes MBA BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 December 2025

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**Appeal Ref: APP/M0655/D/25/3375278**

**3 Hazelwood Mews, Grappenhall, Warrington WA4 2YG**

- 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 K Dunbar against the decision of Warrington Borough Council.
  - The application Ref is 2025/00763/FULH.
  - The development proposed is the erection of a single storey rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension at 3 Hazelwood Mews, Grappenhall, Warrington WA4 2YG in accordance with the terms of the application, Ref 2025/00763/FULH, 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: 38/25/LP; 38/25/BP; 32/25/38 (existing) and 32/25/38 (Proposed).
  - 3) The materials to be used in the construction of the external walls of the development hereby permitted shall match those used in the existing building.

### Main Issue

2. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 4 Hazelwood Mews

### Reasons

3. The proposed development includes a single storey rear extension to a 3-storey terrace dwelling situated within a residential scheme comprising 2 and 3-storey properties. Permitted development rights associated with extensions and other alterations to the property have been withdrawn by reason of a condition attached to the original planning permission for this residential scheme. Accordingly, it is necessary to obtain planning permission for the proposed extension and, as such, the proposal is required to be assessed against the relevant development plan policies.
4. Although other single storey rear additions were observed during the site visit, the detailed planning circumstances of these schemes have not been provided and, as

such, limited weight is given to them in the determination of this appeal. Further, it was noted that a number of these additions were conservatories with significant elements of glazing rather than walls constructed of brick.

5. The property is within the Grappenhall Village Conservation Area. However, the council has not assessed that the proposed extension would cause harm to the significance of this designated heritage asset, and the character and appearance of the Conservation Area would be preserved. There are no reasons to disagree with the council's assessment.
6. The proposed extension would be sited adjacent to the shared boundary with 4 Hazelwood Mews. This shared boundary is defined by a fence supplemented by a hedge of varying types of plant species within the rear garden of No. 4. However, there is no certainty that this vegetation would be retained in the future. However, the garden of No. 4 is materially wider than the rear amenity space associated with the appeal property and has a more open aspect to the Bridgewater Canal.
7. The rear elevation of No. 4 is set back from the rear elevation of the appeal property, and this creates a 2-storey flank wall projection of about 1.4-metres along the shared boundary. At ground floor level within the rear elevation of No. 4 is a window which serves a habitable room. This appears to be the only window serving this room.
8. The council's *House Extension's Supplementary Planning Document* (SPD) refers to extensions being designed so as not to cross a 45 degree line taken in a horizontal plane measured from the centre point of the neighbouring property's nearest primary habitable room window. The SPD recognises that, as permitted development, most properties can extend up to 3 metres from the original rear elevation at ground floor level without causing an unacceptable impact on neighbouring property. Together with the existing flank wall's projection, the proposed extension would create a 2-storey/single storey side elevation with an overall depth of 4.4 metres sited close to the shared boundary with No. 4. By reason of the existing flank wall and the depth of the proposed extension, the appeal scheme would not accord with the 45 degree code.
9. However, the SPD can only be guidance and cannot address all planning circumstances. Indeed, the guidance in the SPD recognises that each case should be taken on its planning merits, including factors such as orientation, relative positions of the neighbouring properties, windows and ground levels.
10. The rear elevation of No. 4 has an easterly orientation, and this neighbouring dwelling is located to the south of the appeal property. Consequently, there would be no material change to the levels of sunlight and daylight reaching the habitable room window of No. 4 sited closest to the shared boundary with the property.
11. Further, the current outlook from this window is towards the extensive rear garden of No. 4 and this would not materially change as a consequence of the proposed development. The side elevation of the appeal scheme would be seen from the window, but the primary outlook would remain towards the rear garden and the Bridgewater Canal. By reason of this retained outlook and the wide garden of No. 4, there would not be the perception that the proposed extension would be an overbearing form of development in the outlook from the window or the patio area at the rear of this neighbouring property.

12. For the reasons given it is concluded that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of 4 Hazelwood Mews and, as such, it would not conflict with Policy ENV8 of the Warrington Local Plan. Amongst other matters, this policy requires development to respect the living conditions of existing neighbouring residential occupiers in relation to outlook.

### **Conditions**

13. The council has suggested conditions in the event that this appeal succeeds which have been assessed against the tests identified in the National Planning Policy Framework and the Planning Practice Guidance. For reasons of clarity, a condition is necessary to identify the approved drawings. To assist with the assimilation of the proposed extension into the Conservation Area, it is necessary for a condition to be imposed to secure the use of materials to match the walls of the host property. A flat rather than pitched roof is proposed so the materials could not match those of the host property. Accordingly, it is concluded that this appeal should be allowed.

*D J Barnes*

INSPECTOR