
Appeal Decision

Site visit made on 5 January 2026 by Kim Vo MPLAN

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th February 2026

Appeal Ref: APP/M0655/D/25/3376214

3 Stuart Drive, Stockton Heath, Warrington, Cheshire WA4 2BT

- 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. Katy and Dr. Robert Firth against the decision of Warrington Borough Council.
 - The application Ref is 2025/00963/FULH.
 - The development proposed is for a part two-storey, part single storey side and rear extension to a semi-detached dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a part two-storey, part single storey side and rear extension to a semi-detached dwelling at 3 Stuart Drive, Stockton Heath, Warrington, Cheshire WA4 2BT in accordance with the terms of the application, Ref 2025/00963/FULH, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans, drawing references: 9101 – Issue 01; 9102 – Issue 01; 1003 – Issue 01; and 1004 – Issue 01.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed development on a) the living conditions of the occupiers of Number 2 Stuart Drive (No. 2), with specific regard to outlook and b) the character and appearance of the area.

Reasons for the Recommendation

Living Conditions

4. The appeal site is within a residential cul-de-sac. No. 2 is set at an angle away from it, resulting in a spacious patio to their side. This dwelling also benefits from a generously sized rear garden which is separated by a boundary fence. There are windows at ground and first floor to their side elevation, facing the appeal site.

5. The proposed first floor side extension would be sited close to the shared boundary with No. 2, where it would be visible from their side patio, rear garden, and side facing windows. Additionally, the appeal scheme would not achieve a one metre gap to the side, as advised under Section 2.2.3 of the House Extensions Supplementary Planning Document 2021 (SPD).
6. However, the SPD offers guidance only and, in this case, the proposal would include a substantial first floor set back from the front elevation, a roofline sitting well below the main ridge and a projection that would not go beyond the main rear wall. Whilst the proposal would bring built form closer to No. 2, their patio and side facing windows are already enclosed by the appeal building's side elevation and the boundary fence. As such, the development would not significantly alter the quality of views currently experienced from within this space or openings. No. 2's angled orientation further increases the separation between their side windows and the proposed extension.
7. In addition, the proposal would not lead to an unacceptable reduction in the quality of outlook from within No. 2's rear garden. This is due to the considerable size of their rear outdoor space and the proposal's distance away from it, ensuring that the occupants at No. 2 can continue to benefit from its principal rearward outlook. As such, given its modest scale, recessed massing and separation distances, the proposal would not represent as an overbearing addition, nor would it result in a significant loss of outlook from No. 2's patio, garden, or side elevation windows.
8. For these reasons, the proposed first floor side extension would not harm the living conditions of the occupiers of No. 2, with specific regard to outlook. Accordingly, it would not conflict with Policy ENV8 of the Warrington Local Plan 2023 (LP). Together, and amongst other things, this policy requires all development to not result in a harmful or cumulative impact on the general levels of amenity.

Character and Appearance

9. The appeal site comprises a two storey semi-detached dwelling in a residential area. As noted, the above relationship between the appeal building and No. 2, together with the existing side space at the appeal site, creates a generous gap between the two dwellings. The surrounding properties along Stuart Drive are predominantly semi-detached houses set well back from the highway, resulting in a spacious and open cul-de-sac. Due to the curvature of the road, the rhythm of gaps between the buildings varies, with the majority being narrowed due to later side additions.
10. The proposed extension would fail to provide a one metre gap to the side boundary, as outlined under Section 2.6.2 of the SPD. However, the SPD is not policy, and the proposal would, amongst others, comply through having a corresponding hipped roof set below the main ridgeline, a setback from the front elevation, and a width no greater than 50% of the width of the original house.
11. No. 2 also does not currently feature any side extension. Whilst the proposal would be sited close to the shared boundary, the combination of its modest scale and built form, as well as its substantial setback at first floor, would allow it to be read as a subordinate and distinguishable element. This would avoid any terracing effect, where the space provided through the proposal's recessed massing would still ensure a visual separation between the two dwellings, which would correlate with the irregular gaps along Stuart Drive.

12. For these reasons, the proposed extension would not cause harm to the character and appearance of the area. Accordingly, it would not conflict with Policy DC6 of the LP. This policy seeks to ensure good design is at the core of all development proposals, amongst other things.

Conditions

13. To provide certainty and for enforcement purposes, it is necessary to impose the standard time limit and specify the approved plans. The materials are shown thereon and are acceptable. There is therefore no need for a further condition.

Conclusion and Recommendation

14. For the reasons given above, I recommend that the appeal should be allowed given it would comply with the development plan and there is nothing compelling to suggest a decision other than in accordance therewith.

Kim Vo

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, and planning permission is granted, subject to the conditions specified.

John Morrison

INSPECTOR