
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: 4 February 2026

Appeal Ref: APP/M0655/D/25/3376266

28 Ellesmere Road, Warrington WA4 6DS

- 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. Luke and Claire Doherty against the decision of Warrington Borough Council.
 - The application Ref is 2025/01032/FULH.
 - The development proposed is for a single storey rear and side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear and side extension at 28 Ellesmere Road, Warrington WA4 6DS in accordance with the terms of the application, Ref 2025/01032/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: PP-14198343v1; 1171/PL/001 – Revision E; 1171/PL/005 – Revision E; and 1171/PL/006 – Revision E.
 - 3) No render or roofing materials shall be applied to or used on the external surfaces of the development hereby permitted, until details thereof have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - 4) The materials to be used for the windows of the development hereby permitted shall be as they are set out on the application form.

Appeal Procedure and Main Issue

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. The main issue in regard to which is the effect of the proposal on the living conditions of the occupiers of Number 29 Ellesmere Road (No. 29), with specific regard to outlook.

Reasons for the Recommendation

3. The appeal site comprises a two storey end terrace dwelling within a residential area. It includes a two storey rear outrigger with a smaller two storey outrigger beyond, followed by a single storey extension. These create a stepped, tapered layout to the rear. A similar configuration is mirrored at No. 29, where combined with the side access paths serving both properties, this results in a sense of

openness between the rear yards. No. 29 includes a ground floor window to the main building's rear elevation, which the Council identifies as serving a lounge/drawing room.

4. The proposed extension would have a substantial depth and height above the existing side boundary wall, introducing a taller and closer side elevation to No. 29's rear window. It would also breach the 45 degree code as outlined in Section 2.2.1 of the House Extensions Supplementary Planning Document (SPD) 2021.
5. However, the SPD offers guidance and due to the position of No. 29's window, its principal outlook towards the rear yard would be retained. Views towards the sides would also be similar to the existing situation, where the outlook is already limited by a two storey outrigger on one side, and a boundary wall and the appeal building's side elevation to the other. Both side access paths would be retained, ensuring a sufficient distance between the proposal and No. 29's window. The appeal scheme is also for a single storey development with a flat roof. As such, given the separation, its modest scale and surrounding context, the proposal would not result in a detrimental loss of outlook to No. 29's rear ground floor window.
6. The proposed development would therefore not harm the living conditions of the occupiers of No. 29, with regard to outlook. Accordingly, it would not conflict with Policy ENV8 of the Warrington Local Plan 2023. Together, and amongst other things, this policy requires all development to not result in a harmful or cumulative impact on general levels of amenity.

Conditions

7. To provide certainty and for enforcement purposes, it is necessary to impose the standard time limit and specify the approved plans. The Council has suggested a condition for the materials to match the existing building. However, the proposal would use different materials, and neither the final render and roof colour, nor the roof material has been specified. I have amended the condition for these details to be provided prior to their use, to ensure they are acceptable for the character and appearance of the area. A condition will also be included for the window material to accord with what is stated on the application form, for the same reasons.

Conclusion and Recommendation

8. 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

9. 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 set out.

John Morrison

INSPECTOR