
Appeal Decision

Site visit made on 5 November 2014

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 November 2014

Appeal Ref: APP/D2320/D/14/2225903

7 Whittam Road, Chorley, PR7 3LJ

- 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 Ms Sandra Jane Riding against the decision of Chorley Borough Council.
 - The application Ref 14/00476/FUL, dated 28 April 2014, was refused by notice dated 7 July 2014.
 - The development proposed is a precast sectional concrete detached garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposed garage on:
 - The character and appearance of the area around Whittam Road, and
 - The living conditions of the occupiers of the property and of adjoining dwellings by way of light and outlook.

Reasons

3. No 7 Whittam Road is a mid-terraced house, situated on the northern side of the road. Nos 1 to 9 Whittam Road are a terrace of relatively modern properties constructed out of red brick and with a hipped roof. Nos 11 onwards are much older terraced houses with gable ends and a small front garden. They are set further forward on their plots than the appeal property. Nos 1 to 9 each have a hard-standing for vehicle parking to the front of the property. As a consequence, the rear gardens, at some 5.7 metres in depth, are significantly shorter than those of both the older terraced houses to the east and also the terraced houses along Balcarres Road across the access lane, or ginnel, to the rear.
 4. The proposed garage would be constructed out of pebble-dash rendered pre-cast concrete, with a corrugated cement fibre panelled roof, a steel personnel door to the side and a steel up-and-over door to the ginnel boundary. It would be a little under 3.5 metres wide, a little over 4.5 metres long, 2 metres high to the eaves and 2.5 metres high to the ridge. It would be built about 1 metre
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away from the rear elevation of the house and up to the rear boundary. It would be hard up against the boundary with the adjoining No 5 Whittam Road and a little under 1 metre from the side boundary with No 9.

Character and appearance

5. Nos 1 to 9 Whittam Road have very short back gardens. The proposed garage would occupy almost all of this garden area, obscuring much of the ground floor of the house and occupying almost all of the private amenity space available to the dwelling. Whilst it would be only some 2.5 metres high, it would be a substantial structure, particularly in the context of the amount of space available. Furthermore, it would not respect the materials used in the main house and would have a more industrial-type of character. It would appear as a dominating structure from the ginnel to the rear.
6. A number of the other dwellings that back onto the ginnel have structures of various types in their back gardens, although it would appear that only two have garages. However, these houses have significantly longer back gardens. The original planning permission for Nos 1 to 9, granted in 1998, restricted permitted development rights for extensions and outbuildings. Given the fact that almost the whole of the space to the front of the properties is given over to hard-standing and that there is very little amenity space to the rear, I consider that the condition is necessary to protect the curtilages of the houses from overdevelopment and to retain some appearance of openness and space. The proposed garage, by virtue of its scale, would appear obtrusive in the otherwise relatively uncluttered rear gardens of the terrace, and would appear out of character with the host property by virtue of its design and materials.
7. Furthermore, whilst every proposal must be assessed on its own merits, to allow this development could encourage the submission of further similar proposals which would be progressively more difficult for the Council to resist and which could cause cumulative harm to the character of the area. This adds weight to my conclusion that the proposal would be detrimental to the character and appearance of the area around Whittam Road. On this basis, it would conflict with Saved Policy GN5 of the Chorley Borough Council Local Plan Review, which requires developments to be well related to their surroundings, and also with guidance in the Council's adopted Householder Design Guidance Supplementary Planning Document (SPD), which requires garages to respect the scale, character and materials of the original property.

Living conditions

8. The garage would be sited only around 1 metre from the rear ground floor window in the host dwelling and would also obscure much of the rear patio-style doors. This would be likely to have some detrimental effect on the light received by those glazed elements at the rear of the house, and would also result in a somewhat oppressive outlook.
9. The garage would also be sited close to the rear window and doors at the adjacent No 5. It would be to the north-east of No 5 and would have only limited impact on light received by that property, but at an overall height of 2.5 metres, and 2 metres to the eaves along the boundary, it would also result in something of an oppressive outlook for the occupiers of the adjoining house. The appellant contends that a 2 metre fence could be erected along that

boundary under permitted development rights. That may well be the case. However, the garage would have a ridge height some 0.5 metres above this level and, given its bulk, its proximity to the boundary, and the limited space available at the rear of the properties, I find that it would appear more oppressive than a fence.

10. In conclusion on this issue, I find that the proposed garage would be harmful to the living conditions of the occupiers of both the appeal property and No 5 Whittam Road by way of light and outlook. It would conflict with guidance in the SPD which indicates that care should be taken to safeguard the amenities of neighbours.

Other Matters

11. The appellant contends that the garage would be removed from the site if and when she leaves the property. However, this application is not for a temporary period and, in any case, the garage would be harmful to the character and appearance of the area and to the living conditions of occupiers for its indeterminate duration.

12. The appellant also indicates that she would be prepared to change the design and scale of the garage to reduce its impact. This may or may not significantly ameliorate the situation, but such a proposal is not before me and should be the subject of a separate application.

J D Westbrook

INSPECTOR