

Appeal Decision

Site visit made on 11 October 2016

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 20th October 2016

Appeal Ref: APP/B4215/D/16/3158798

5 Chanters Close, Manchester M9 6UY

- 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 Paul Wright against the decision of Manchester City Council.
 - The application Ref 112060/FH/2016/N1, dated 3 May 2016, was refused by notice dated 2 August 2016.
 - The development proposed is the erection of a single storey side extension to form additional living accommodation, together with ancillary detached outbuilding within the rear curtilage to form a garage.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey extension to form additional living accommodation, together with ancillary detached outbuilding within the rear curtilage to form a garage at 5 Chanters Close, Manchester M9 6UY in accordance with the terms of the application, Ref 112060/FH/2016/N1, dated 3 May 2016, and the plans submitted with it, 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 materials used in the construction of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans.
 - 4) The development shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building. Appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as local planning authority.

Main Issues

2. The main issues in this case are the effect of the proposed development on:
 - (1) The character and appearance of the area; and,
 - (2) The living conditions of the occupiers of neighbouring properties with particular reference to outlook.
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Reasons

Character and appearance

3. Chanters Close is a cul-de-sac containing a modern development of around 20 detached and semi-detached bungalows of varying sizes, orientations and plot size, though with similar design and materials. No 5 is a detached property located on the corner of a T-head junction within the Close. It has garden areas to its front, side and rear and a driveway on its eastern side. Whilst there is a low rail to the front and the northern part of the western side boundary, most of the western and the entire southern boundary are defined by wooden panel and concrete post fencing.
4. The proposal would place a single storey extension on the western side of this building, and a garage in the rear garden alongside the boundary with No 3 Chanters Close. As the Council has indicated that the proposed garage would be acceptable I do not need to give this aspect of the proposal further consideration here.
5. The Council's concern relates to the size and location of the proposed extension in what is considered to be a prominent corner location. In this respect I accept that this development would extend the footprint of this dwelling to the west to around 650mm from the property boundary, beyond the position shared with the bungalow on the opposite corner, No 6 Chanters Close.
6. However, my view is that there is sufficient variety within the layout and design of individual dwellings in this group to accommodate further variation. Also, the extension would be well set back from the front building line of the property and would have a lower ridge height. It would therefore appear as a relatively modest addition and not unduly prominent. Furthermore, its design would not be discordant with either the host or surrounding buildings. In this respect my view is that this extension would be visually acceptable even if the current fencing were to be removed or replaced.
7. On this issue I conclude that the proposed development would not have a detrimental effect on the character or appearance of this area. In this respect it would comply with the City of Manchester Unitary Development Plan 1995 (the UDP) which at saved Policy DC1 states that in determining applications for extensions the Council will have regard to the character of the property and its appearance in the street scene. It would also comply with the Manchester Core Strategy Development Plan Document 2012 (the Core Strategy) which at Policies SP1 and DM1 requires development to have regard to the character of the surrounding area.

Living conditions

8. The Council's Officer Report on this case refers to the unduly overbearing appearance of the extension in relation to adjacent occupiers. The Decision Notice makes particular reference to No 7 Chanters Close. No 7 is located to the south of this dwelling at the end of its rear garden, and the proposed extension would be located some distance away to the north west of the front elevation of this dwelling. In this respect I would not therefore envisage the proposed extension having any adverse effect on the living conditions of the occupiers of this dwelling.

9. More generally, as the extension would be located some distance away from other properties, and is in itself of reasonably modest size and design, it would not have a negative impact in terms of outlook and visual intrusion.
10. I therefore conclude that this proposal would not have a detrimental effect on the living conditions of the occupiers of neighbouring properties, with particular reference to outlook. In this respect it would comply with the UDP saved Policy DC1 and the Core Strategy Policy DM1 both of which require that consideration be given to the amenity of neighbouring occupiers.

Conclusion

11. I have found in this case that the proposal would not have a detrimental effect on either the character and appearance of the area, or on the living conditions of the occupiers of neighbouring properties, and it would therefore comply with the development plan.
12. For these reasons I conclude that the appeal should succeed and planning permission granted, subject to conditions that are necessary for the avoidance of doubt and in the interests of proper planning; to safeguard the character and appearance of the area; and to comply with environmental considerations.

AJ Mageean

INSPECTOR