

## Appeal Decision

Site visit made on 14 November 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: 13<sup>th</sup> December 2016**

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**Appeal Ref: APP/B4215/D/16/3158183**

**7 Endsleigh Road, Manchester M20 4AD**

- 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 Barratt against the decision of Manchester City Council.
  - The application Ref 111959/FH/2016/S1, dated 24 April 2016, was refused by notice dated 17 June 2016.
  - The development proposed is demolition of single storey kitchen extension at rear of property, erection of a two storey side and single storey rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for demolition of single storey kitchen extension at rear of property, erection of a two storey side and single storey rear extension at 7 Endsleigh Road, Manchester M20 4AD in accordance with the terms of the application, Ref 111959/FH/2016/S1, dated 24 April 2016, 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: 16005 – 01; 16005 -‘Existing Plans’; 16005 -‘Existing Elevations I’; 16005 -‘Existing Elevations II’; 16005 – 05 Rev B; 16005 – 06 Rev B; 16005 – 07 Rev A; 16005 –08 Rev A.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 4) No windows or openings shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings.

### Main Issues

2. The main issues in this case are:
    - 1) The effect of the proposed development on the living conditions of the occupiers of No 62, 64 and 66 Heaton Road with particular reference to outlook and light; and
    - 2) The effect of the proposal on the character and appearance of the original property.
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## **Reasons**

### *Living conditions*

3. The appeal site is located within a residential suburb of south Manchester. It is the end property in one of two sets of traditional two storey semi-detached properties on the north side of Endsleigh Road. These properties are located on reasonably sized plots with front and rear garden areas, many of which have garages. The appeal property has a side driveway but no garage. The rear gardens of No 62, 64 and 66 Heaton Road back onto this driveway on the eastern boundary of this dwelling. The Heaton Road properties have reasonably sized gardens, with a distance of between 18m and 14m between their rear elevations and the shared boundary with No 7 Endsleigh Road. There are mature trees and shrubs towards the rear of No 62 and 64, and a garage along the shared boundary with No 66.
4. This proposal would introduce a two storey side extension, and a part two storey, part single storey rear extension to this property. The side extension would be slightly set back from the front elevation and would cover almost the full width of the driveway, continuing beyond the rear building line as a single storey extension to around 4.9m. The rear extension would comprise a full width single storey element, extending close to the shared boundary with No 5 Endsleigh Road. The rear extension would have a further two storey element to accommodate an additional bedroom which would be set in from the single storey extension and both side boundaries.
5. The Council has expressed concern about the appearance of the extended eastern elevation of the appeal dwelling, stating that it would appear as an over-dominant and overbearing feature when viewed from the rear of No 62, 64 and 66 Heaton Road. Concern is also expressed about the potential for loss of light to the rear of these properties.
6. I note that the appellant has sought to respond to concerns about the expanse of brickwork along the eastern elevation of this property that was presented in the original proposals for this scheme. As such, in the amended plans, the rear facing first floor element of the extension would be set in from the side boundary and the roof profile altered to hip away from the rear elevation. These alterations would serve to reduce the visual impact of this extension on the rear outlook of the Heaton Road properties by breaking up and reducing the extent of brick wall along the eastern elevation. This, combined with the reasonable length of the rear gardens of these properties, and the presence of mature vegetation towards the rear boundaries of No 62 and 64 which would provide some screening, would, in my view, render these proposals acceptable.
7. I have also considered the effect of the proposal on the levels of light reaching the rear gardens of the Heaton Road properties. Whilst I accept that there would be some effect in terms of shadow cast by this extension on the rear parts of these garden areas, my view is that the presence of mature trees and shrubs and the garage to the rear of No 66 Heaton Road would mean that any such impact would not be significant.
8. I conclude on this matter that the proposal would not have a detrimental effect on the living conditions of the occupiers of No 62, 64 and 66 Heaton Road with particular reference to outlook and light. In these respects it would not conflict with the Manchester Unitary Development Plan 1995 (the UDP) which at saved

Policy DC1 seeks to ensure that extensions to residential properties are not excessively bulky, nor that they would create undue loss of sunlight or daylight. It would also comply with Policies SP1 and DM1 of the Manchester's Local Development Framework 2012 (the LDF) which, amongst other things, require that the effects of development on amenity, including light, are considered.

#### *Character and appearance*

9. The Council also expresses concern about the proposal detracting from the original appearance of the dwelling. In this respect it is clear that the side and rear elevations of this property would be considerably altered. Nevertheless, my view is that the complementary roof form and detailing of the proposal, along with the retention of much of the front elevation intact would ensure that the overall character of the original dwelling would be sufficiently retained.
10. On this matter I conclude that the proposal would not have a detrimental effect on the character and appearance of the original property. It would therefore comply with Policy DC1 of the UDP and Policies SP1 and DM1 of the LDF, which, amongst other things, require that extensions should be acceptable in terms of the general character of the property.

#### **Conclusion**

11. I have found in this case that the proposal would not be unacceptable in terms of its effect on either the living conditions of the occupiers of neighbouring properties or on the character of the dwelling. This scheme would therefore be acceptable when assessed against the development plan and National Planning Policy Framework taken as a whole.
12. To ensure a satisfactory appearance the development should be carried out in accordance with approved plans, and the external materials should match the existing house. It is also appropriate to require that no additional windows be inserted into the elevations of the extensions in order to protect the privacy of the occupiers of neighbouring properties. Subject to these conditions, the appeal should succeed.

*AJ Mageean*

INSPECTOR