

Appeal Decision

Site visit made on 29 November 2016

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 4th January 2017

Appeal Ref: APP/B4215/D/16/3156209

33 Longford Road, Chorlton cum Hardy, Manchester M21 9WP

- 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 Miss Shelley Garret against the decision of Manchester City Council.
 - The application Ref: 111530/FH/2016/S1, dated 21 October 2015, was refused by notice dated 19 May 2016.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed development on the living conditions of the occupiers of 31 Longford Road, with particular regard to light and privacy.

Reasons

Character and appearance

3. When read together, Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2 and DC1.4 of The Manchester Plan: The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (the Framework) which seeks a high standard of design in new developments, and which provides a good standard of amenity of all existing and future occupiers of land or buildings. Significant weight can therefore still be attached to these policies.
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4. Longford Road consists of a mixture of terraced and semi-detached two storey houses, primarily dating from the late Nineteenth or Early twentieth century. Due to the terraced forms, and the close spacing of the majority of the pairs of semi-detached houses, the street frontages of the houses in the street are largely unaltered. Common materials and architectural details, combined with the repeating pattern of fenestration and doorways, give the street a very cohesive character. The appeal building and its immediate neighbours are a slight anomaly, being of a later date, of a different architectural style, and having larger gaps between them and their neighbours. In this respect they form a distinct visual break that provides relief in the denser urban grain of the remainder of the street, although the regular gaps between these houses and the symmetry of the facades continues the strong rhythm established by the other houses in the street.
5. There is no requirement in the development plan policies for side extensions to be set back from the frontage of the main house, nevertheless, it is clear from the wording of UDP Policy DC1.4 that the infilling of the gaps between semi-detached houses resulting in adjacent buildings physically linking to form a terrace, or appearing to do so as a result of only a small gap remaining between them, is considered undesirable. In order to prevent this, Policy DC1.4 states that a gap of 1.52 metres will normally expected between a two storey side extension and the common boundary between two properties. The proposed development would be built up to the common boundary and would therefore not comply with this requirement. Policy DC1.4 does allow for Proposals which cannot meet these requirements to be judged on their merits.
6. I note that it is proposed to construct the extension in materials to match those of the original house and that the ridge of the roof of the proposed extension would be set down from the ridge of the main roof and the front wall of the extension set back 0.9 metres from the main façade. However, these are relatively small offsets and, consequently, the extension would increase the perceived length of the building façade and roof ridge. This would also significantly erode the gap between the properties and disrupt the strong rhythm established by the built form of the street, particularly the symmetry of the pairs of semi-detached houses which make up the remainder of the south side of Longford Road to the west of the appeal building. As such it would appear as an incongruous feature in the street scene and would be contrary to Policies DC1.1 and DC1.2.
7. Additionally, were the proposed extension to be carried out, the operation of criterion (b) of Policy DC1.4 would prevent the current or future occupiers of number 31 from building a similar extension, which is inconsistent with criterion (a) of Policy DC1.4 which seeks to ensure that the development potential of the gap between semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned.
8. In support of their case, the appellant has drawn my attention to a number of other extensions nearby and I was able to see these when I visited the site. I do not have full details of these cases and consequently do not know the circumstances that led to them being accepted. I saw that whilst number 26 Longford Road has been extended to the side, this house is located adjacent to the junction with Hartley Road and, as a result, the extension is not affecting a gap between adjacent properties.

9. Number 63 Longford Road has been extended to the rear at first floor level, however, it has not been extended to the side. I saw that side extensions had been erected at Numbers 1 and 3 Sark Road, one of which is set back and the other is flush with the main front elevation. Number 1 Sark Road adjoins the rear garden of a house on Kensington Road and the architecture and street scene of Sark Road is not as homogeneous as that of Longford Road. Consequently, I do not consider that these examples represent a direct parallel to the appeal proposal. In any case I have determined the appeal on its own merits.
10. I therefore conclude that the proposed development would cause harm to the character and appearance of the area. It would not comply with the relevant requirements of Policies SP1 and DM1 of the Core Strategy and Policies DC1.1, 1.2 of the UDP which seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context.

Living conditions of neighbouring occupiers

11. Core Strategy Policies SP1 and DM1, and UDP Policies DC1.1 and DC1.2 seek to ensure that new development does not have an adverse effect on the living conditions of the occupiers of neighbouring properties and make a positive contribution to the wellbeing of residents. Additionally, the Framework requires that new development should provide a good standard of amenity for all occupiers.
12. I saw on my site visit that there are a number of windows in the side elevation of the neighbouring property at number 31 Longford Road. At ground floor level there is one clear glazed window which appeared to be a secondary window to a kitchen area. At first floor level there is a clear glazed window serving a landing and, at the front of the house, a corner window to a bedroom. The remaining two first floor windows were fitted with opaque glazing. There would be no windows in the side elevation of the proposed extension to the appeal building and therefore there would be no overlooking of the windows in the side elevation of number 31.
13. I note that the Council state that the bedroom window of the rear elevation of the extension would provide opportunities to overlook the garden area of number 31. Whilst this would be the case, the rear garden of number 31 is already overlooked by windows in the rear of houses on Newport Road which back onto it, as well as from the first floor rear window of the adjoining semi-detached house. The appeal proposal would not materially add to the degree of overlooking of the rear garden of number 31 over and above that which currently occurs.
14. The appeal building is located to the north west of number 31 and as such, although the extension projects beyond the existing rear elevation, the relative orientation of the properties and the limited projection of the extension would not result in any material increase in the degree of overshadowing experienced by number 31. Daylight to the ground floor kitchen window in the side elevation of number 31 is currently constrained by the existing single storey ground floor side extension on the appeal property. Although the proposed extension would have a limited effect on the daylight received by this window by reducing the gap between the properties at first floor level, there is a

second window to this room in a rear extension which would not be affected by the proposed extension to the appeal property. There would also be a limited effect on daylight received by the landing window of number 31 but as this is not a window serving a principal habitable room this, of itself, would not warrant refusing planning permission.

15. I therefore find that the proposed development would not cause harm to the living conditions of the occupiers of the neighbouring properties, with particular regard to loss of light, loss of outlook and overbearing. It would comply with the relevant requirements of Policies SP1 and DM1 of the Core Strategy and UDP Policies DC1.1 and DC1.2 which seek to ensure that new development does not have an adverse effect on the living conditions of the occupiers of neighbouring properties.

Conclusions

16. Although I have found that the proposed development would not cause harm to the living conditions of the occupiers, this alone does not outweigh the harm that I have found that the development would cause to the character and appearance of the area.
17. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR