
Appeal Decision

Site visit made on 14 March 2017

by Paul Singleton BSc (Hons) MA MRTPI

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

Decision date: 28 March 2017

Appeal Ref: APP/B4215/D/17/3167448
95 Old Lane, Manchester M11 1DE

- 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 Mrs Susan Pine against the decision of Manchester City Council.
 - The application Ref 114119/FH/2016, dated 5 October 2016, was refused by notice dated 14 December 2016.
 - The development proposed is the erection of part single and part two storey rear extension to form additional living accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of part single and part two storey rear extension to form additional living accommodation at 95 Old Lane, Manchester M11 1DE in accordance with the terms of the application, Ref 114119/FH/2016, dated 5 October 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: Site Location Plan; Proposed Floor Plans, Elevations and Sections Drawings referenced P2E150916 and dated 22 September 2016.
 - 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or doors shall be inserted into the side elevations of the extension hereby approved.

Procedural Matter

2. I have adopted the description of development given in the Council's decision notice as providing a more accurate description of the appeal proposal than that used in the original planning application.
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Main Issues

3. The main issues are the effect on the character and appearance of the host dwelling and the surrounding area and on the living conditions of the occupiers of No 93 Old Lane with regard to loss of daylight and outlook.

Reasons

4. Although the ground floor component of the proposal would be wider and deeper, by around 0.5 metre (m), than the existing single storey addition this increased footprint would not be out of proportion with the ground floor area of the existing dwelling. I do not perceive any harm arising that increase and note that the Council appears to raise no objection to this part of the scheme
5. The upper storey would be narrower in width, extending across approximately 60% of the rear elevation of the dwelling. Its roof ridge would be considerably below that of the existing house and the use of a hipped roof would further reduce the scale and visual prominence of the extension. Due to its reduced height and width, and the roof form proposed, the extension would be in proportion with the host property and would appear as a subservient element. In conjunction with the retention of the existing bedroom window in the rear elevation, these proposals would enable the original form of the rear elevation and roof to be readily identified following completion of the proposed development.
6. I noted on my site visit that a large number of other houses in the local area, including those in the terrace comprising Nos 55-69 Old Lane which is visible from the rear of the appeal site, have 2 storey outriggers which are of a similar scale to the proposed extension. Although most of the houses immediately adjoining the appeal property have only single storey additions, No 89 has a substantial 2 storey rear extension.
7. The first floor of that extension does not project as far as that proposed in the appeal scheme but does extend across the full width of the rear elevation and is more prominent because of its gable roof form. However, it does not appear significantly out of scale with the original dwelling. Due to its reduced width and the use of a hipped roof rather than a gable the appeal proposal would be in better proportion with its host dwelling and with the terrace as a whole. By retaining part of the existing rear elevation it would also be more successful in maintaining the character of the original dwelling.
8. For these reasons I find that proposed extension would not have a material adverse effect on the character and appearance of the existing dwelling. The extension would have increased visibility following the demolition of the adjacent terrace than would otherwise be the case. However, it would not be out of place in the context of the existing extension to No 89 and the 2 storey outriggers to other houses in nearby streets. No harm would, therefore, be caused to the character and appearance of the surrounding area.
9. The 2 storey extension would be on the site boundary with No 93 but the bedroom window in the rear elevation to that dwelling is some 2.5m from that shared boundary. That offset would be sufficient to ensure that the proposed extension would not cause any overshadowing or significant loss of daylight to that window. The top of the side wall to the proposed extension would be less than 1m above the eye level of anyone standing in that window and that flank

elevation would not appear as overbearing or oppressive in that view. There is a second, smaller window at first floor level which is closer to the boundary but I understand that this serves the landing to the neighbouring house rather than a habitable room.

10. At ground floor level the proposal would extend beyond the depth of the 'lean to' rear addition to No 93 only by about 0.5m and, as the kitchen window is on the other side of that addition, there would be no adverse effect on daylight or sunlight reaching that living space. There may be some overshadowing of the small yard but, given that the houses in the terrace enjoy extended rear gardens there would be no significant effect on the neighbouring occupiers' enjoyment of their private amenity space. Accordingly, I find that the proposal would not result in any harm to the living conditions of the occupiers of No 93 with regard to loss of light or outlook.
11. The proposal would be consistent with the requirements in saved Policy DC1.2 of the Manchester Unitary Development Plan (UDP) that residential extensions should not be excessively large or bulky, should not be out of character with the style of development in the area, and should not create an undue loss of sunlight, daylight or privacy for neighbouring houses. It would comply with the specific requirements of UDP Policy DC1.3, with regard to the depth, width and design of two storey extensions, and with Policy DC1.1 in terms of the criteria to which regard should be had when considering such proposals. In view of its compliance with these policies the proposal would also comply with Policy SP1 of the Manchester Core Strategy Development Plan Document (2012), with regard to its requirement that development should protect and enhance the built environment, and with the development plan as a whole.
12. There are no material considerations that would indicate a decision other than in accordance with the development plan. Having regard to paragraph 14 of the National Planning Policy Framework the proposal benefits from the presumption in favour of sustainable development and should be approved without delay.

Conditions

13. Planning permission is granted in accordance with the terms of the planning application but, in the interests of certainty, a condition is needed to tie the permission to the approved plans. To ensure that the design of the extension is in keeping a condition is also needed that requires that the external finishes should match those in the existing house. Finally, a condition is needed to remove the normal permitted development rights in relation to the installation of windows in the side elevations of the proposed extension. This is required to safeguard the privacy of the occupiers of the adjoining houses.

Conclusion

14. For the reasons set out above I conclude that the appeal should be allowed.

Paul Singleton

INSPECTOR