
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/17/3166848
7 Arley Avenue, Manchester M20 2LQ

- 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 Raana Afsarpour against the decision of Manchester City Council.
 - The application Ref 113938/FH/2016, dated 12 September 2016, was refused by notice dated 16 December 2016.
 - The development proposed is erection of rear dormer extension to form additional living accommodation.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant had previously commenced the construction of a rear dormer in the mistaken understanding that this was permitted development. When it became clear that planning permission was required construction works were suspended and a retrospective planning application was submitted with a view to regularising the position. The appeal proposal involves the proposed remodelling of the partially constructed, flat roofed 'box' dormer into one comprising two dormer windows with double pitched roofs linked by a mansard roof incorporating a velux window.

Main Issues

3. The main issues are the effect on the character and appearance of the appeal property and of the Albert Park Conservation Area.

Reasons

4. The proposal would have a less bulky and less box-like appearance than the partially constructed dormer but would still represent a significant addition to the rear roof slope of the dwelling. Although the use of twin gabled dormer windows would reduce the overall scale and massing of the extension much of that benefit would be offset by the linking together of these elements with a 70° mansard roof. This combination of roof forms would result in a rather odd and inelegant structure that would appear as a prominent and incongruous addition to the dwelling.
-

5. Although some of the existing roof slope would be retained below and to either side the scale of the dormer would be such that it would dominate the original roof rather than appear as a subservient element. I agree with the Council that it would be excessively large in relation to the modest scale of the appeal property and that it would be visually intrusive. The original vertical alignment of openings in the rear elevation has been lost through the installation of oversized windows at ground and first floor level. The proposed dormer windows would neither be in proportion with nor line through with those openings and would result in the further erosion of the original form and appearance of the rear elevation.
6. The Council acknowledges that, were the appeal property not within the conservation area, the proposal would constitute permitted development. However, the removal of permitted development rights allows for the closer regulation of such proposals and provides the opportunity for their potential effects on the character and appearance of the conservation area to be fully assessed.
7. The Albert Park Conservation Area is mainly comprised of residential properties although it includes the linear, local centre on Burton Road. The conservation area is focused on five roughly parallel roads, running south-west to north-east, with a series of connecting and side roads leading off of these. Most of the properties date from latter half of the 19th or the early 20th century and are constructed in red brick with slate clad roofs. That commonality of external materials makes an important contribution to the character and appearance of the area but my observations on my site visit were that this is also defined by the predominant building form being that of long terraces of residential properties.
8. Some of these terraces are two storeys and some three storeys in height and there is a degree of variation in terms of the presence and depth of front gardens. Within each of the terraces there is, however, a considerable degree of uniformity of building line, ridge and eaves height and elevational and boundary treatments. That uniformity of character and appearance in many cases extends to the parallel and cross streets within the various sub zones of the conservation area.
9. These characteristics are clearly evident in Arley Avenue, Tintern Avenue and Bottesford Avenue. A common building line extends along the full length of Arley and Tintern Avenues, crossing Bottesford Avenue, and a series of design elements provides for a uniformity of appearance and a distinct rhythm in the street scene. These include a common ridge and eaves line, the regular positioning of chimney stacks, the decorative cornice at eaves level, the repeated pattern of ground floor bay windows connected by a projecting canopy and decorative fascia that runs the length of each terrace, and the largely intact, brick walls to the front gardens.
10. In my judgement this strong linear pattern of development and uniformity of external treatments play a critical role in giving this part of the conservation area its distinctive character. Although the decorative elements are largely confined to the fronts of the houses that strong linear pattern is also evident in the alignment of the rear boundary walls and intervening alleyways. The spacing of the terraces is such that these rear alleys allow clear views of the rear elevations of the terraces in which the continuity of ridge and eaves lines,

the regular chimney stack positions and the uniformity of rear boundary walls can readily be discerned.

11. There are no precedents for dormer windows on either the front or rear roof slopes in this part of the conservation area and the introduction of such an extension would represent a significant intrusion into the existing simple and uniform roofscape. The rear elevation and roof of the appeal property are clearly visible from Nell Lane and from the hospital car park and the partially constructed dormer appears as a large and intrusive feature in those views. The appeal proposal would be only marginally less harmful.
12. I have reviewed the appellant's photographs of other dormer windows within the area but consider that these support my assessment that the uniformity of external appearance is a key characteristic of the conservation area. The front dormers to the terraces on Burton Road and the side streets going off it appear to be original features which were designed to be subordinate to the main building and which are repeated along the length of the terrace. This pattern can also be seen in Queenston Road and, although of more modern construction, those to the houses on Orchard Street are also of this type.
13. Although dormer windows are found in various parts of the conservation area the majority of these are original features designed to form part of the uniform appearance of the respective terraces or groups of houses within the street. I acknowledge that there are examples of other, isolated dormers of various styles but do not consider these to be either a prevailing or common characteristic of the conservation area. I saw no examples incorporating a combination of twin gable dormers and a connecting mansard roof as proposed in the appeal scheme.
14. I note the appellant's reference to two box-like dormers that have been approved to the rear of Numbers 160-162 Burton Road. I agree that these have a relatively high degree of visibility across the Cavendish Road school site but it appears that this view was not taken into account in the determination of that application. The delegated report sets out the officer's judgement that, apart from the roof lights and new access door to the front, all of the development would be largely unseen. The completed development shows that judgement to have been misplaced.
15. I find that the proposal would detract from the character and appearance of the appeal property and from that of the terrace as a whole. As a result, it would also detract from the positive contribution that the terrace makes to the character and appearance of the conservation area. Given the importance of the strong linear pattern of terraced housing and uniformity of external treatments to that character and appearance, I also find that it would fail to preserve the character and appearance of the Albert Park Conservation Area as whole. I assess the harm to the significance of the conservation area as being less than substantial for the purposes of applying the policies in section 12 of the National Planning Policy Framework (Framework).
16. Accordingly, the proposal conflicts with saved Policy DC1 of the Manchester Unitary Development Plan (UDP), which states that residential extensions should not be excessively large or bulky and should not be out of character with the surrounding street scene, and with UDP Policy DC18 which seeks to preserve and enhance the character of the City's conservation areas. The proposal conflicts with Policy DM 1 of the Manchester Core Strategy

Development Plan Document (2012) (Core Strategy) which requires that all development should be of an appropriate siting and scale and should have regard to the character of the surrounding area. It also conflicts with Core Strategy Policies DN 3, which states that new development must be designed to support the preservation and, where possible, enhancement of conservation areas, and SP 1, which states that development should make a positive contribution to neighbourhoods of choice by creating well designed places that enhance or create character.

17. Paragraph 132 of the Framework requires that great weight should be given to the conservation of designated heritage assets such as conservation areas and paragraph 134 advises that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.
18. The proposed extension would provide additional living accommodation for the appellant but this would be a private benefit that would not outweigh the harm that would be caused. No public benefits would flow from the proposal and, in light of the statutory duty¹ that special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas, I find that the proposal would conflict with the policies in section 12 of the Framework.

Conclusion

19. For the reasons set out above and having regard to all matters raised I conclude that the appeal should be dismissed.

Paul Singleton

INSPECTOR

¹ Under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990,