
Appeal Decision

Site visit made on 27 June 2017

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

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

Decision date: 6 July 2017

Appeal Ref: APP/B4215/D/17/3174556
14 Dorris Street, Manchester M19 2TP

- 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 Syed Haider Ali Shah against the decision of Manchester City Council.
 - The application Ref 115055/FH/2017, dated 29 January 2017, was refused by notice dated 28 March 2017.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 14 Dorris Street, Manchester M19 2TP in accordance with the terms of the application, Ref 115055/FH/2017, dated 29 January 2017, and the plans submitted with it.

Procedural Matter

2. I saw from my site visit that the extension has been built. I have, therefore, determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the development on: (i) the character and appearance of the area and; (ii) the living conditions of the occupiers of No 12 Dorris Street, with regard to outlook.

Reasons

Character and Appearance

4. The appeal property is a mid-terraced house located in a residential area characterised by similar housing. There is an alley at the rear, which runs between Dorris Street and the parallel terrace.
5. A single storey rear extension has been built at the appeal property, which is attached to a two storey outrigger. The extension projects 4.5 metres, and its rear wall has replaced part of the boundary wall of the property. The extension has a mono-pitched roof, with its highest point on the common boundary with No 12 Dorris Street.
6. Although there are no other similar structures in the vicinity, some of the houses have outhouses in their rear yards, and all the properties have

relatively high boundary walls or fences. The extension is visible from the rear alley, but it is not overly prominent in the wider area. Consequently, its impact within the street scene is limited.

7. The bricks used in the extension differ slightly from the original brickwork of the house and it is obviously a recent addition. However, the boundary walls along the alley, and other structures in the yards, vary in design and appearance. Consequently, the materials used in the extension are not incongruous in this location.
8. I appreciate that the extension is visible from the rear yards and windows of several neighbouring properties. Nonetheless, due to its siting at the rear of the house, and limited impact in the wider area, I do not consider that the extension has a material detrimental effect on the character and appearance of the area. It therefore complies with Policy DC1 of the Unitary Development Plan (UDP)¹ and policies SP1 and DM1 of the Core Strategy² which, in combination, seek to ensure that development has regard to the character of the surrounding area.

Living Conditions

9. The extension is sited on the boundary with No 12 and extends to 3.7 metres in height. No 12 has a rear window on the ground floor of the outrigger, and a further ground floor window on the rear elevation of the house. The extension affects the outlook from the window to the outrigger, and the rear yard.
10. The appellant has provided a letter from the Council, dated 23 November 2016, which suggests a 3 metre extension would be acceptable. The appellant advises that an extension of up to 3 metres in length could be erected under 'permitted development' rights.³ The fact that an extension could have been built under permitted development is an important consideration as it represents a valid fallback position. I have also had regard to Policy DC1 of the UDP, which relates to residential extensions. The policy states that the Council will have regard to a number of factors, including the effect on neighbouring occupiers and the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs. The policy states that the Council will not normally approve rear extensions greater than 3.65 metres in length.
11. The extension is larger than that allowed under the permitted development right, and Policy DC1. However, if the extension were to be reduced in length as suggested by the Council, the effect on the outlook of neighbouring occupiers would not be materially less significant. This is because a smaller extension would have a similar impact on the rear window and the more useable part of the yard, which is closest to the rear of the house. A reduction in length would reduce the effect on the rear part of the neighbouring yard, but this would have a limited effect on living conditions.

¹ Manchester City Council Unitary Development Plan, adopted 21 July 1995

² Manchester's Local Development Framework: Core Strategy Development Plan Document, adopted 11 July 2012

³ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) enables certain types of development to take place without the need for specific planning permission, provided certain criteria are met. Provisions exist under Schedule 2, Part 1, Class A for the erection of single storey rear extensions, subject to limitations and conditions.

12. I am also aware that the extension provides ground floor shower and W.C facilities, and this is a reasonable household adaptation that should be taken into account under Policy DC1.
13. To conclude on this issue, I find the extension does not have a materially greater impact on the living conditions of the adjoining occupiers than that which could be built under permitted development rights, or in compliance with the detailed criteria of Policy DC1. Consequently, I find that the development meets the objectives of Policy DC1 of the Unitary Development Plan (UDP) and policies SP1 and DM1 of the Core Strategy which, in combination, seek to ensure that development does not have an adverse effect on the amenity of neighbouring occupiers.

Conclusion

14. For the reasons given above, the appeal is allowed.

Debbie Moore

Inspector