
Appeal Decision

Site visit made on 24 October 2017

by Andrew McGlone BSc MCD MRTPI

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

Decision date: 27 October 2017

Appeal Ref: APP/B4215/D/17/3180554

18 Larch Gardens, Manchester M8 8BJ

- 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 Mariam Omani against the decision of Manchester City Council.
 - The application Ref 115196/FH/2017, dated 2 February 2017, was refused by notice dated 20 June 2017.
 - The development proposed is a rear 2-storey extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted an amended plan with the appeal. The appeal process should not be used to evolve a scheme. In the interests of fairness and natural justice, I have considered the appeal on the basis of the plans which the Council considered in reaching their decision.

Main Issues

3. The main issues are the effect of the proposal on: (i) the character and visual amenity of the area; and (ii) the living conditions of the occupiers of 20 Larch Gardens, with regards to outlook.

Reasons

Character and visual amenity

4. The appeal property is at the end of a modern terrace which has a rear garden that backs onto a communal car park. The rear garden is enclosed by a timber fence. The property has a dormer window in the front roof plane and a roof light in the rear roof plane. Next to the appeal site is a four storey apartment block that extends to the rear of the appeal property. A gated passageway is in-between the apartment block and the appeal property.
5. Although planning permission was granted in 2012¹ by the Council for a single storey rear extension, this permission was not implemented and it has now lapsed. In any event, notwithstanding the footprint of the proposed ground floor, the proposal before me is entirely different due to the first floor part of the appeal scheme.

¹ Council Application Ref: 099073/FH/2012/N1

6. The proposed extension would extend across the full width of the dwelling's rear elevation and extend someway into the rear garden. As a result, the built form would rise above the height of both flank boundary fences. While the extension would not be particularly prominent from the public realm, it would still be visible from Larch Gardens next to the entrance to the communal car park. Although the proposed roof form would be below that of the host property, I consider that the extension's siting, scale, massing and design would result in a dominate form of development across the full width of the dwelling. This would harm the character and visual amenity of the area.
7. I conclude, on this issue, that the proposal would significantly harm the character and visual amenity of the area. This would be contrary to Policies SP1 and DM1 of the Core Strategy Development Plan Document (Core Strategy) and saved Policies DC1.1 and DC1.2 of The Unitary Development Plan for the City of Manchester (UDP). Together these seek, among other things, development to have regard to the character of the surrounding area so that places are well designed.

Living conditions

8. The middle of the three dwellings in the terrace is 20 Larch Gardens. This property has two window openings on the ground floor and two window openings on the first floor. The first floor windows in No 20 have an outlook into, and across the rear gardens in the terrace, and towards the communal car park beyond. The proposal would, even with the flank elevation partly set in from the boundary, introduce a two storey brick wall that would extend near to the boundary close to one of the windows. This would, as a result, create an overbearing form of development that would be harmful to the outlook from the first floor rear elevation window of No 20.
9. For these reasons, on this issue, I conclude that the proposal would lead to a significant harm to the living conditions of the occupiers of 20 Larch Gardens, with regards to outlook. The proposal would not accord with Core Strategy Policies SP1 and DM1 and saved UDP Policies DC1.1 and DC1.2; which jointly, among other things, seek extensions to not be excessively large or bulky so that they do not have an adverse effect on the amenity and wellbeing of neighbouring occupiers.

Conclusion

10. I acknowledge the appellant's concern about their ability to design a suitable layout so that the extension is a worthwhile financial investment. I also recognise they have a growing family who wish to stay settled in the area near to medical and education facilities, and that they would be aided by a larger living environment. However, despite the lack of any objections from neighbouring occupiers, I do not consider that these matters outweigh the harm that I have found in relation to both main issues.
11. For the reasons set out above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR