

Appeal Decision

Site visit made on 1 July 2019 by Hannah Ellison MSc BSc (Hons)

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2019

Appeal Ref: APP/B4215/D/19/3228607

5 Holme Road, Manchester, M20 2TX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Simon Wilkins against the decision of Manchester City Council.
 - The application Ref 122654/JO/2019, dated 10 February 2019, was refused by notice dated 8 April 2019.
 - The application sought planning permission for erection of single storey side and rear extension and hip to gable roof extension with rear dormer extension without complying with a condition attached to planning permission Ref 121930/FH/2018, dated 17 January 2019.
 - The condition in dispute is No 2 which states that: The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: The application form, Location Plan and the drawings numbered 1887/E/01, 1887/E/02, 1887/E/03, 1887/E/04, 1887/P/01, 1887/P/02, 1887/P/03 Rev A and 1887/P/04 Rev A all received on the 23 November 2018.
 - The reason given for the condition is: To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The application subject to this appeal sought an increase to the dwelling's ridge line to the original approval dated 17 January 2019. A condition was imposed on the original permission specifying that development shall be carried out in accordance with approved plans. This appeal seeks to vary that condition to take into account plans that reflect the amended design.

Main Issue

4. The main issue is the effect of the amendment on the character and appearance of No. 5 Holme Road and the wider area.

Reasons

5. Holme Road is a tree-lined avenue comprising a mix of property types within generous plots set-back from the highway. The predominant boundary treatment is low stone walls and hedging, with grassed areas behind, all of which contribute towards the rather spacious and leafy feel of the area. The appeal property is a two-storey detached dwelling with pleasant features including rounded bay windows, large chimney stacks and a hipped roof. It is similar in appearance to No. 1 and 3 Holme Road, however there are examples of variations in property design and roof forms in the immediate area.
6. The proposed development seeks to increase the ridge height of the original dwelling by 1m, a slight increase on the previous approval. The extant permission significantly increases the scale, massing and form of the original dwelling. A further alteration to the ridge height, as proposed through this appeal, would exacerbate the impact of the previously approved extension, which would in itself have a significant impact on the character and appearance of the building, resulting in an overly dominant and disproportionate addition to the roof. The development would therefore fail to read as a sympathetic addition and would erode the character of the original dwelling.
7. I observed on my site visit that the degree of tree coverage reduces significantly as you travel north along Holme Road from No.7 towards the end of the cul-de-sac. As such, the appeal property is highly visible from the street. It is clearly read in context with No. 1 and 3 which are of similar design. Whilst the roof form of No 7 differs from these three properties, that building, and the three-storey flats opposite appear as visually distinct buildings. The proposed alterations to the roof of No.5 would be readily apparent in the group of three and the incongruous, top heavy appearance of the development would be detrimental to the appearance of the group and wider area.
8. I therefore find that the proposed substitution of plans listed under condition 2 of permission ref 121930/FH/2018 to increase the ridge height further would be harmful to the character and appearance of No.5 Holme Road and the wider street scene. Consequently, the amendment proposed would conflict with saved Policy DC1 of The Unitary Development Plan for the City of Manchester, July 1995, Policies SP1 and DM1 of Manchester's Local Development Framework Core Strategy Development Plan Document, July 2012, all of which collectively seek to ensure extensions are of a high quality, are subservient to the original dwelling and have regard to the character of the surrounding area. The proposal would also be inconsistent with the National Planning Policy Framework 2019, particularly chapter 12, which seeks to ensure developments are visually attractive and sympathetic to local character.

Other Matters

9. I am aware the extension is intended for use by a disabled resident and this was a factor taken into consideration by the Council in reaching their decision on the original application. However, no further information relating specifically to the proposal before me has been submitted with the appeal in this respect,

and there is no evidence to demonstrate that the original permission cannot be implemented for structural reasons, as suggested by the appellant. As such there is insufficient evidence to justify the further alteration to scale and massing of the dwelling.

10. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Nevertheless, for the reasons set out above, it does not follow from the PSED that the appeal should succeed.
11. I have had regard to comments regarding the impact of the proposal on the living conditions of occupiers at No.7. I do not consider the proposed increase in height from the extant permission would have a significant impact on the living conditions of adjacent occupiers. Nevertheless, this has had no bearing on the main issue identified above.

Conclusion and Recommendation

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeals Planning Officer

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR