
Appeal Decision

Site visit made on 4 December 2019

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2019

Appeal Ref: APP/B4215/D/19/3237140

3 New Forest Road, Manchester M23 9JT

- 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 Jim Whitley against the decision of Manchester City Council.
 - The application Ref 123275/FH/2019, dated 6 March 2019, was refused by notice dated 26 June 2019.
 - The development proposed is a 2 storey side and single storey rear extension to a detached property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the living conditions of the occupiers of 5 New Forest Road, with particular reference to light.

Reasons

3. No 5 has two windows on its side elevation which face towards the proposed development. The first-floor window is a primary window serving a bedroom. It currently looks over the flat roof of the appellant's garage and accordingly enjoys a relatively open aspect and good levels of light. The result of the proposal would be to place a wall in close proximity to the window which would substantially reduce the light levels reaching the bedroom. This reduction in light would cause significant harm to the living conditions of the occupiers of No 5.
4. The ground floor window is a secondary window and already faces the side elevation of the appellant's garage from a close distance. Given this existing relationship and the presence of the primary window on the front elevation of the dwelling, the proposal would not cause an unacceptable loss of light to the room in question and not therefore cause harm to the living conditions of the occupiers of No 5 in this respect.
5. My attention has been drawn to a development at 37 New Forest Road which the appellant considers to be similar to that subject of this appeal. I was able to view this development from the public highway during my site visit and to observe its positioning in relation to the windows of the adjacent dwelling. However, I must consider the appeal case primarily upon its own individual merits and the other extension referred to does not justify a development that

would result in the degree of harm to the living conditions of the occupiers of No 5 that I have identified.

6. For these reasons I conclude that the proposed development would cause significant harm to the occupiers of No 5 through a loss of light to the first-floor window which faces the appeal site. This would conflict with the objectives of Policies SP1 and DM1 of Manchester's Local Development Framework Core Strategy Development Plan Document 2012 and Saved Policies DC1.1 and DC1.2 of The Manchester Unitary Development Plan 1995, all of which seek to safeguard living conditions.

Conclusion

7. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR