
Appeal Decision

Site visit made on 20 January 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2020

Appeal Ref: APP/B4215/D/19/3240790

11 Stanage Avenue, Manchester M9 6HH

- 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 Karl Da Silva against the decision of Manchester City Council.
 - The application Ref 124632/FH/2019, dated 21 August 2019, was refused by notice dated 17 October 2019.
 - The development proposed is '2-storey side and rear extensions'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of neighbouring occupants, with respect to outlook and enclosure.

Reasons

3. The appeal site is a semi-detached dwelling forming a pair with No 9. The side wall of the property stands at a roughly 45 degree angle to the rear walls and short rear gardens of Nos 13, 15, 17 and 19.
4. The proposed two storey extension would be a substantial structure composed of solid brickwork, wrapping around the side and rear of the dwelling, widening and deepening the footprint of the building. The upper storey would be slightly recessed in depth from the lower storey, but would still extend some 3.6 metres in depth from the common rear wall of the semi-detached pair. It would be recessed by some 1.2 metres from the side garden boundary between the properties. The extension would effectively envelop the rear half of the existing dwelling and its size and shape would be such that it would appear as a wholesale enlargement of the dwelling.
5. I saw that the existing single storey conservatory stands against the shared boundary, but has a glazed side elevation and appeared lightweight and unobtrusive in scale and form. In contrast, the proposed extension would be deeper, significantly taller and solid in its construction, and would form an immediate and imposing feature at the common boundary. I acknowledge the attempts to recess the upper storey from the side boundary; however, the scale of the extension would still be readily apparent in views from the rear windows and from the adjacent rear patio area of No 9. It would also conflict with saved Policy DC1.4 of the Manchester Unitary Development Plan (July

- 1995), which sets a guideline minimum gap of 1.52 metres between the side wall of the extension and the shared boundary. Having regard to its size and position next to ground and first floor rear windows and patio area, I find that the extension would harmfully increase the sense of enclosure to these areas, undermining the living conditions of occupants of No 9.
6. On the other side, the rear elevations of Nos 13-19 are separated by their respective rear gardens, though some properties have extended rearwards with raised, partially enclosed terraces. The full depth and height of the extension would be clearly visible to the neighbours on this side. The extension to the side would bring the built form closer to the boundary and would establish a significant expanse of solid, brick wall up to 4 metres deeper than the existing side elevation, but also reaching the same eaves level and extending the main roof structure. Overall, the extension would be dominant in its scale and presence to the rear of these neighbouring properties. It would increase the sense of enclosure, in particular to Nos 13 and 15 which stand immediately opposite the dwelling itself, but would also restrict outlook and increase shadowing to the gardens of the neighbouring properties given its position to the south. I find, therefore, that the proposed extension would also be harmful to the living conditions of occupants of Nos 13-19.
 7. For these reasons, the proposal would conflict with saved Policy DC1.4, and Policies SP1 and DM1 of the Manchester Core Strategy 2002 to 2027 (July 2012), which require, amongst other things, that development makes a positive contribution to the health, safety and well-being of residents, and has regard to appropriate siting, scale, form, massing and materials, and effects on amenity, including privacy and light.
 8. In reaching a view on the main issue, I note the appellant refers to similar extensions being granted permission. However, I am not provided with details of any such schemes to take into consideration, and I saw no examples of extensions of comparable scale or form among the immediately surrounding properties. I have therefore reached my own conclusions on the basis of the evidence before me and my observations on site.
 9. I recognise that neighbours have not raised any objections to the proposal and I have also had regard to the desire of the appellant to provide accommodation for an extended family. However, I am mindful that the harm I have identified would be permanent and this would not be outweighed by the appellant's particular circumstances.

Conclusion

10. The appeal is therefore dismissed.

K. Savage

INSPECTOR