



Appeal Decision

Site visit made on 20 January 2020 by Hannah Ellison BSc (Hons) MSc

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/B4215/D/19/3239251

3 Darley Avenue, Manchester M20 2XE

- 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 H Warren against the decision of Manchester City Council.
 - The application Ref 123970/FH/2019, dated 25 June 2019, was refused by notice dated 14 August 2019.
 - The development proposed is the erection of a first floor side extension to form additional living accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension to form additional living accommodation at 3 Darley Avenue, Manchester M20 2XE, in accordance with the terms of the application, Ref 123970/FH/2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: (PL)100, (PL)101.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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.

Main Issue

3. The main issue is the effect of the development on the living conditions of occupiers at No 5 Darley Avenue, with particular regard to outlook and light.

Reasons

4. This appeal concerns a large, two-storey detached dwelling located within a well established residential area which consists predominantly of detached villa type properties set within generous plots. The proposal seeks to extend the

property at first floor level above the existing double garage, along with alterations to the garage roof.

5. The extension would be positioned close to the side boundary with No 5 Darley Avenue, which has a window at first floor level on the side elevation serving a bedroom. I have considered the Council's and neighbouring occupiers concern about the impact of the development on that room.
6. From the evidence before me it is clear that the side window is a secondary window. Furthermore, the current outlook from it is of the side wall and garage of the appeal dwelling. The primary window to that room appears to be on the rear elevation, facing into the rear garden of No 5. As such, the side window itself does not provide the main source of outlook for occupiers. Whilst I have no doubt that the extension would be visible from certain points within the neighbour's bedroom and from the window itself, I do not consider that it would be so overbearing as to severely harm the living conditions within that room given the nature of the window layout. Furthermore, the amended hipped roof design to the garage and the set-back side elevation of the first floor extension would reduce its massing and thereby its impact on the neighbouring window in terms of outlook.
7. Additionally, concern has been raised that the proposed extension would cause a loss of light to the side window and therefore the bedroom, however no further evidence has been submitted. Further to the window being secondary, it is noted that it is north east facing and of a limited size. As such it is likely to provide already reduced levels of light. Therefore, this proposal, due to its design, scale and massing, would not significantly reduce the already restricted amount of light reaching the affected room.
8. The Council has raised no objection to the appearance of the extension. However, neighbouring occupiers are concerned that the development would cause a terracing effect with No 5. It is acknowledged that properties in Darley Avenue are generally set within large plots and have good spacing between them. However, the extension would have a lower ridge and eaves height than the host dwelling, it would be set in from the side wall of the garage and it would not be unduly prominent from public vantage points due to the mature boundary treatment. As such I do not consider it would have a harmful effect on the character and appearance of the wider street scene.
9. Consequently, the proposed first floor side extension would not result in a harmful effect on the living conditions of occupiers at No 5 Darley Avenue and it is therefore consistent with policies DC1 of the Unitary Development Plan for the City of Manchester, July 1995, and SP1 and DM1 of the Core Strategy, Development Plan Document, July 2012 which, amongst other things, collectively seek to ensure developments make a positive contribution to and have regard to the amenity and wellbeing of neighbouring occupiers.

Conditions

10. Other than the standard time limit and approved plans condition, the Council has suggested a condition requiring the external materials to be used in the construction of the development to match those of the existing building. In the interests of the character and appearance of the host property and wider area this condition would be necessary.

Conclusion and Recommendation

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

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

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

K Taylor

INSPECTOR