



Appeal Decision

Site visit made on 18 May 2020

by Paul Singleton BSc MA MRTPI

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

Decision date: 26 May 2020

Appeal Ref: APP/B4215/D/20/3247549

10 John Foran Close, Manchester M40 2EX

- 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 Dave Bachelor against the decision of Manchester City Council.
 - The application Ref 125427/FH/2019, dated 11 November 2019, was refused by notice dated 28 January 2020.
 - The development proposed is erection of part single and part two storey front extension to form additional living accommodation.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have adopted the description of development as it appears in the Council's decision notice rather than that in the original application as I consider this provides a more accurate description of the appeal proposal.

Main Issues

3. The main issues are the effect on: (a) the character and appearance of the site and the wider street scene; and (b) on the living conditions of the occupiers of Number 12 John Foran Close.

Reasons

Character and appearance

4. Although it comprises a relatively short cul-de-sac there is considerable variation in the way that the houses on John Foran Close relate to the street. Most of the properties on the north side have their rear elevations facing the street and the street edge is formed by rear garden fences and parking areas rather than by buildings. On the south side three of the four terraced blocks are gable end on to the road. Only the 3 properties at Numbers 8-12 follow a more traditional layout with the houses facing onto the street behind small front gardens and driveways.
5. Although the front elevations to Nos. 10 and 12 are in line, that to No.8 is some 3.5 metres forward of the other two properties. The appeal proposal would result in that step being moved so that it occurs at the boundary between Nos. 10 and 12 rather than between Nos. 8 and 10. The stepped profile to the front elevations of these properties reflects that seen in a number

of terraces in other nearby streets. However, given the considerable variety in the layout of other properties in the street, this stepped profile neither defines a clear building line within John Foran Close itself nor makes a significant contribution to the street scene. In that context, I do not consider that moving the step in the front elevations along by one property would in itself be significantly harmful.

6. Notwithstanding their varied layout, what does unify the houses within John Foran Close is their modest scale and simple pitched roof and gable form. The 2 storey extension would extend across the full width of the existing dwelling and have the same eaves and ridge height. It would, therefore, result in a substantial enlargement in the scale and massing of the property and introduce a much larger area of roof. As proposed, the 2 storey extension would not be subservient to the existing dwelling and would result in an over-dominant and incongruous addition to the building. These changes would be seen by other residents from their properties and when moving along the street and would have a detrimental impact on the character and appearance of the street scene. In my assessment the single storey porch would also appear as an over large and visually dominant feature that would not be in keeping with the porches and door canopies that have been erected at other properties in the street.

Living conditions

7. The Council's concerns are about the effect on the amenity of the residents of the adjacent property at No. 12 as a result of the proposed two storey extension. However, the 2 storey element would be in line with No. 8 and the resultant relationship between the two properties would be much as currently exists between Nos. 10 and 8 in terms of the forward projection of the extension. Given that the principal windows in the front elevation of No. 12 are not in close proximity to the common boundary with No.10 I do not consider that the proposal would result in an overbearing relationship or that the extension would overshadow No. 12 to an unacceptable degree.
8. The proposal to introduce a window in the side elevation of the 2 storey extension would not, however, be acceptable in terms of safeguarding the amenity of the occupier of the adjacent dwelling. Even if this was to be glazed with obscure glazing as suggested by the appellant, its position overlooking the front garden to No.12 would have an adverse impact on the sense of privacy felt by the occupiers of that property when using their front garden and when entering and leaving the house. Accordingly, I find that the proposal would have an unacceptable effect on the living conditions of the neighbouring residents.

Conclusions

9. For the reasons set out above I find that the appeal scheme would adversely affect the character and appearance of the host building and the street and have an unacceptable impact on the living conditions of the occupiers of No. 12 John Foran Close in terms of loss of privacy. The proposal, therefore, conflicts with Policy DM1 of the Manchester Core Strategy (2012), which requires that all development should have regard to the character of the surrounding area and its potential effects on amenity, and with the development principles set out in Policy SP1. The proposal also gives rise to a conflict with saved Policy DC1 of the Manchester Unitary Development Plan which states that, when

determining planning applications, regard should be had to the general character of the property, the effect upon the amenity of neighbouring occupiers, and the overall appearance of the proposal in the street scene.

10. The proposal would provide additional living accommodation for the appellant but this would be a private benefit that does not outweigh the conflict with the development plan. I therefore conclude that the appeal should be dismissed.

Paul Singleton

INSPECTOR