



Appeal Decision

Site Visit made on 25 May 2021

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2021

Appeal Ref: APP/B4215/W/21/3268850

16 Saxon Street, Manchester M40 7BY

- 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 Ken Nakae (Sandton London EC1Y Ltd) against the decision of Manchester City Council.
 - The application Ref 128620/FO/2020, dated 17 November 2020, was refused by notice dated 18 January 2021.
 - The development proposed is the demolition of the existing dwelling and erection of 2no semi-detached houses with associated parking and external works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the area and (ii) the living conditions of the occupiers of adjacent dwellings, with particular reference to outlook and overlooking.

Reasons

Character and appearance

3. The appeal site occupies a prominent position close to the corner with Sandal Street. The existing dwellings on the same side of Saxon Street have an overall uniformity in their eaves and ridge heights, and this consistency extends to the dwellings on the adjoining sections of Sandal Street and Energy Street, which have the same overall design and form. This creates a visual coherence which contributes positively to the character and appearance of the area.
4. The proposed dwellings would have both a higher eaves and a higher ridge height than these existing dwellings. Being positioned amongst dwellings which have a consistent, and lower, height, would mean that the proposal would be an awkward and incongruous feature in the street scene due to its bulkier form and its uncharacteristically higher eaves and ridge height. This would result in significant harm to the character and appearance of the area.
5. There is greater variation in the heights of dwellings on the opposite side of Saxon Street, although these do not appear to be contemporary to those dwellings on the same side as the appeal site. Furthermore, Saxon Street is a wide road which creates a substantial visual separation between its two sides. The proposed dwellings would not be primarily read in the context of the street scene on the opposite side of the road, and the height of these existing dwellings does not therefore justify the appeal proposal.

6. Examples have been provided of varying building heights in other existing developments but they are not in the immediate vicinity of the appeal site. They do not therefore contribute to the character and appearance which I have outlined above.
7. For these reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the area. Consequently, the proposal would fail to accord with Policies DM1 and SP1 of the Manchester Core Strategy 2012 (CS), where they seek to protect character and appearance. There would also be a conflict with The Guide to Development in Manchester Supplementary Planning Document (SPD) and the National Planning Policy Framework (The Framework) where they seek to deliver the same aim.

Living conditions

8. There is already a first-floor window in the rear elevation of the existing dwelling which faces 24 Energy Street. This relationship and the resultant overlooking would be materially unaltered with respect to the single bedroom window of the proposed dwelling that would be positioned in a similar location.
9. There would be a first-floor bedroom window in the other proposed dwelling in a location where there presently is not a window. However, this would face towards the end of the gardens of both No 24 and 106 Sandal Street, and not towards the elevations of the dwellings themselves. Furthermore, its relationship to these existing dwellings would be typical of that found in the surrounding area and in urban locations in general. As a result of these factors, its presence would not result in harmful overlooking.
10. There are no substantial ground level differences between the proposed and existing dwellings, and the ground floor windows would therefore be adequately screened by the existing boundary fencing.
11. Due to the positioning and orientation in relation to both No 24 and No 106, there would be an adequate separation which would ensure that there would not be harmful loss of outlook to the occupiers of these properties or a harmful impact from the massing of the proposal, in terms of both its single storey and two storey elements.
12. I therefore conclude that there would be no harm to the living conditions of the occupiers of adjacent dwellings and that the proposal would accord with Policies DM1 and SP1 of the CS where they seek to protect living conditions. There would also be no conflict with the SPD or The Framework in this respect.

Other Matters

13. The Government's objective is to significantly boost the supply of housing and the proposal would provide two modern homes in a location with adequate access to services. However, given that only two dwellings would be provided, the provision of the additional housing and the benefits arising attract only limited weight.
14. The existing dwelling on the appeal site is vacant and in a poor state of repair, meaning that it has a negative visual impact on the street scene. Whilst the proposal would result in this dwelling being removed, this benefit could be achieved in an alternative way that would not cause the harm I have identified.

Conclusion

15. Although I have found that the proposal would not cause harm to the living conditions of the occupiers of the adjacent dwellings, I have found significant harm to the character and appearance of the area. This means that the proposal would fail to accord with the development plan taken as a whole. Whilst there would be a benefit to the supply of housing, this does not outweigh the harm I have found.
16. Therefore, there are no material considerations, including The Framework, that indicate that a decision should be made other than in accordance with the development plan and I conclude that the appeal should be dismissed.

Graham Wright

INSPECTOR