The Planning Inspectorate

Appeal Decision

Site visit made on 7 February 2022

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2022

Appeal Ref: APP/B4215/D/21/3284246
20 Hilbre Road, Manchester, M19 2PU

- 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 B Islam against the decision of Manchester City Council.
- The application Ref 130266/FO/2021, dated 30 April 2021, was refused by notice dated 16 September 2021.
- The development proposed is a side and rear extension.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposed extension on the living conditions of nearby residents with particular regard to outlook, light and privacy.

Reasons

3. The appeal property is a semi-detached house which has a detached garage in the rear garden. This would be removed as part of the appeal scheme. The proposed extension would extend the property to both the side and the rear. To the rear the ground floor element would extend across the entire width of the house, with the first floor projecting slightly less both in terms of its depth and its width. In addition, a rear dormer would occupy the entire roof plane. The proposal would, therefore, add a significant mass and bulk to the house, and in particular to the rear elevation.

4. The rear gardens of the host property, and in particular, the properties at the rear on Tirza Avenue, are not long. As a result, the distance between the rear elevations of these houses is limited and the proposed extension would reduce this even further. Given this, the scale and mass of the proposed extension would result in it having an overbearing impact on, and adversely affecting the outlook from, both the rear garden and the windows on the rear elevation of both No 1 and 3 Tirza Avenue.

5. The proposal would introduce new habitable windows facing the houses at the rear, in the dormer as well as at ground and first floor level, with the latter being closer than those in the existing house. The boundary treatment would prevent overlooking from the ground floor windows but the upper floor windows would increase both the level of overlooking of these neighbouring properties, and the perception of being overlooked. To overcome this, it is suggested that the rear facing windows would, at least partially, have obscure

glazing. However, the height this would need to be to prevent overlooking would result in a lack of outlook for these rooms. This would provide poor living conditions for the occupiers of the host property. As such, it would not be an acceptable solution.

6. No 22 has a kitchen window on the side elevation facing the host property, although this is not the only window for the room. The overall length of the extension is over 11.5m. Despite the slight set back of the first floor, the scale and mass of the side elevation of the extension, so close to the boundary, would have an overbearing impact on, and create an unneighbourly sense of enclosure to, the occupiers of this property.

7. To the other side, the attached dwelling has habitable room windows close to the common boundary, which are the only windows serving these rooms. However, as the two storey element of the proposed extension is set away from the common boundary, the appeal scheme would not have an adverse impact on the occupiers of this neighbouring house.

8. The removal of the current detached garage in the rear garden would result in the loss of a building that is currently close to the common boundaries of Nos 22, 1 and 3. Nonetheless, its height and mass is limited and so its removal would not outweigh the harm caused by the considerable scale and mass of the proposal.

9. In support of the appeal my attention was drawn to other properties in the area that have been granted permission for similar extensions. These included two properties on the same road, and two properties on Burnage Hall Road. However, the 2 properties on Hilbre Road are located at the head of the cul-de-sac, which results in them having wider plots and the houses being at an angle to each other. Moreover, they have no properties to the rear. Similarly, the properties on Burnage Hall Road do not directly face properties to the rear. As a result, they do not represent a direct parallel to the appeal scheme.

10. Notwithstanding my findings with regard to the impact on the occupiers of No 18, overall, I consider that the proposed extension would unacceptably harm the living conditions of other nearby residents with particular regard to outlook, light and privacy. Accordingly, it would conflict with Policies SP1 and DM1 of the *Manchester Core Strategy Development Plan Document (adopted July 2012)* and Policy DC1 of the *Unitary Development Plan for the City of Manchester (adopted July 1995)* which require that developments in general, and house extensions in particular, should have regard to their effects on amenity and not cause an undue loss of light and privacy.

Other Matters

11. Whilst I agree that the proposal would not have a harmful effect on the street scene, an absence of harm in this respect is a neutral factor.

Conclusion

12. For the reasons set out above, I conclude the appeal should be dismissed

Alison Partington

INSPECTOR