



Appeal Decision

Site visit made on 17 January 2023

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 15th February 2028

Appeal Ref: APP/B4215/D/22/3311351

14 Eileen Grove, Manchester M14 5WE

- 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 M Bakash against the decision of Manchester City Council.
 - The application Ref: 134313/FH/2022 dated 7 July 2022, was refused by notice dated 7 September 2022.
 - The application is for erection of a part single/part two storey rear extension to form additional living accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the Councils Decision Notice and differs from that used on the Application Form. However, in Part E of the appeal form it is stated that the description of development has not changed. Accordingly, I have used the one given on the Councils Decision Notice that I feel more accurately describes the proposed development.

Main Issues

3. The main issue is the impact of the proposal upon the character and appearance of the area.

Reasons

4. The appeal property is a mid through terrace house within this area of similar properties. The rows of houses all have a street frontage and a rear lane that gives access to a yard and back door. To the rear of the appeal property there is currently a small cat slide type outshut extension that appears original to the house and serves a small kitchen to the ground floor with bathroom to the first floor. There is also a small structure covering the area around the rear door giving access into the rear yard.
5. The neighbour to the opposite, northern side of the appeal site, appears to have a habitable room window alongside that of the appeal property's first floor rear bedroom that is set back from the outshut extension and is located upon the rear elevation of the principal house. To the neighbouring property there is a single storey pitched roof lean to extension that extends the whole way

across the rear yard although it retains an area of open space within the yard itself.

6. The proposal before me seeks to echo the extension to the neighbouring house except it intends to construct a two storey extension with partial ground floor extension to replace the existing kitchen access lean to. The result would see an extension that would run the whole length of the property's rear yard although in doing so this too would retain a small area of rear yard area as amenity space.
7. As a result of this extension being located immediately to the south of its neighbour there would be a highly detrimental impact upon the living conditions of the neighbour at number 12. This would manifest itself not only in direct overshadowing, caused by the two storey extension to the south, but it would also appear over dominant due to its close proximity to the neighbour's rear yard.
8. Although there is already a large amount of overlooking due to the compact nature of the terrace area here, due to the presence of first floor side windows within the proposal, there would be the potential for further, direct, overlooking into the neighbour's rear yard at number 12 which would compound the harm identified above.
9. Although I saw on my site visit that there are some other extensions of large and dominant proportions, I have no evidence before me as to the precise reasons why these developments occurred and as such I can only give these other schemes very limited weight. I did see however that, for the most part, the area exhibited a fine balance between modest extensions and the mutual respect for the living conditions of neighbours.
10. Therefore, although in terms of form, the proposal before me would be traditional in its design, the overall size, scale and dominance of the rear first floor projection would harmfully impact upon the living conditions of neighbours to such an extent as to seriously affect their quality of life.
11. As a result the proposal before me would fail to conform to Policies DC1 of the saved Unitary Development Plan and would also be contrary to Policies DM1, SP1 and EN1 of the Manchester City Council Core Strategy all of which seek to protect the character and appearance of the built environment and to ensure that the living conditions of nearby residences are not harmed.

Conclusion

12. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR