



Appeal Decision

Site visit made on 2 May 2023

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th June 2023

Appeal Ref: APP/B4215/D/23/3318388

8 Carville Road, Manchester M9 7FE

- 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 Mrs Layla Darlington against the decision of Manchester City Council.
 - The application Ref 135776/FH/2022, dated 16 December 2022, was refused by notice dated 6 March 2023.
 - The development proposed is a 2-storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the two-storey side extension on the character and appearance of the existing dwelling and the wider area, and the effect on the living conditions of the occupants of 10 Carville Road (No.10), with particular regard to outlook.

Reasons

Character and appearance

3. The appeal property is a semi-detached dwelling within a residential estate made up of a mix of semi and detached houses with similar design features and materials. The neighbouring property at No.10 is a detached house positioned further forward than the appeal property and on a splayed, triangular shaped, parcel of land. The gap between No.10 and the appeal property is, therefore, wider at the road frontage and narrows towards the rear of the houses. The appeal property currently has a hard surfaced driveway and patio to the side of the house.
4. Saved Policy DC1 of *The Manchester Plan, The Unitary Development Plan for the City of Manchester, 1995* (UDP) sets criteria a number of criteria, including the character of the property and the street scene, to which residential extensions need to have regard. Extensions which are excessively large or bulky, or which are out of character with the style of development in the area, will not be allowed.
5. The proposed two-storey side extension would extend almost the full width of the appellant's ownership to the side of their property and for the full depth of the existing dwelling. The first-floor front elevation would be set back behind the front elevation of the existing dwelling and, therefore, result in a ridge

height lower than the original roof. The roof of the extension would also replicate the existing hipped design. The scale of the extension is not excessively large or bulky. Furthermore, the form, materials and design of the extension respect the appeal property and the design of the houses on the estate and would not result in a dwelling that is out of character.

6. The extension would bring the appeal property closer to No.10 and the gap between the side of the two-storey extension and the common boundary would be less than 1.52m. This would therefore be below the recommended minimum for two-storey side extensions, as set out in Policy DC1.4 of the UDP. However, saved Policy DC1 does allow for consideration of the merits of the scheme if the separation distance is not met. The policy aim is to enable the gap between houses to be shared equally and resist the creation of terracing.
7. Although the gap between the houses would be reduced the relationship between the appeal property and No.10 would ensure that the two-storey extension would not cause a terracing effect. Furthermore, although there would be a narrow gap between the two-storey extension and the conservatory at the rear of No.10, the triangular landscaped gap between the extension and the main part of the dwelling at No.10 would be retained.
8. Although the Council have advised that other properties on the estate have similar extensions I have not been provided with any evidence of similar extensions, where the relationship between the houses is the same. Furthermore, there are other houses on the estate where the gap between properties is smaller than the gap which would be retained between the appeal property and No.10.
9. Consequently, whilst the two-storey extension would not comply with the requirement for a 1.52m gap between the side wall and the common boundary and therefore not comply with the guidelines in the UDP, the proposal would not result in a terracing effect or cause a narrow gap between the appeal property and the neighbouring property. Furthermore, the proposal is of an appropriate scale, form and design which has regard to the character of the existing dwelling.
10. I therefore find that the proposed extension would not result in an adverse effect on the character and appearance of the existing dwelling or the wider area and complies with the aims and principles set out in Saved Policy DC1 of the UDP, for the reasons set out above. Additionally, there would be no conflict with Policies SP1, EN1 and DM1 of the *Manchester's Local Development Framework Core Strategy Development Plan Document 2012* (CSDPD) which, taken together, seek to ensure good design, that development makes a positive contribution and has regard to the character of the area.
11. Furthermore, the proposal would not conflict with the advice in the *Guide to Development in Manchester Supplementary Planning Document and Planning Guidance* which, amongst other matters, promotes a high standard of design, seeks to ensure development has regard to its context and the character of the area and requires buildings to respect the setting of, and relationship with, adjacent buildings.

Living conditions

12. The neighbouring detached property, No.10, has a conservatory at the rear which is close to the boundary fence with the appeal property. No.10 also sits on a slightly lower ground level than the appeal property. As the two-storey extension would extend the full depth of the appeal property it would therefore sit further back than the rear elevation of No.10, to the side of the conservatory.
13. The occupants of No.10 have an outlook out of the windows in the side of the conservatory which currently provides a degree of openness, albeit restricted by the proximity of the fence. The proposed extension would bring the appeal property very close to the boundary with No.10 and much closer to the conservatory than the existing dwelling. The outlook would, therefore, be restricted by the two-storey blank brick wall. This would result in an oppressive and overbearing outlook, detrimental to the living conditions of the occupiers of No.10.
14. That the current occupiers of No.10 have not objected, and, even if I were to accept the appellant's point that they support the application, this does not reduce or remove the need to assess the effect on the living conditions of this property.
15. For the above reasons I find that the proposed two-storey side extension would have a detrimental effect on the living conditions of the occupants of No.10 Carville Road (No.10), with particular regard to outlook. The proposal is, therefore, contrary to Policies SP1 and DM1 of the CSDPD which, taken together require development to positively contribute to the wellbeing of residents and have regard to the effects of development on living conditions.
16. Furthermore, the proposal is contrary to DC1 of the UDP which, amongst other matters, requires extensions to have regard to the effect on the living conditions of neighbouring occupiers.

Other Matters

17. The appellant has argued that the extension would not be accessible from the existing bedroom if the extension were to be set back 1.5m instead of 1m from the front elevation of the host dwelling. However, even if it were to be 1.5m this would not overcome my concerns as set out above.

Conclusion

18. For the reasons given above I have found that, the two-storey side extension does not have a significant adverse effect on the appearance of the host property or the character and appearance of the surrounding area. However, due to the adverse effect on the living conditions of No.10, the proposal is contrary to the development plan, as a whole, and the *National Planning Policy Framework (2021)*. The harm in this case outweighs the former considerations. There are no other material considerations that would indicate that the proposal should be determined other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

K Townsend

INSPECTOR