



Appeal Decision

Site visit made on 26 July 2023

by David Jones BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 September 2023

Appeal Ref: APP/B4215/C/22/3306459

Land at 76 Houghend Avenue, Manchester M21 7SD

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Mr Mohammed Yusoeff against an enforcement notice issued by Manchester City Council.
 - The notice was issued on 10 August 2022.
 - The breach of planning control as alleged in the notice is the erection of a single storey extension to the side and rear of the property, the approximate location of which is shown shaded blue on the attached photograph ENF/01.
 - The requirements of the notice are:
 1. Demolish the single storey extension to the side and rear of the property, as shown edged blue on the attached photographs ENF/02 and ENF/03.
 2. Reinstate the side elevation of the property to its condition before the breach took place, as shown in the attached photograph ENF/04.
 3. Remove from the land all materials, waste etc as a result of carrying out the above steps.
 - The period for compliance with the requirements is: Two months.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 199 Act as amended.

Ground (a) and the deemed planning application

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and surrounding area.

Reasons

3. The appeal property is a semi-detached dwelling constructed in red brick with a hipped roof. A modest sized garden and driveway are located to the front of the property with a larger garden area to the rear. The property forms part of a residential estate which contains a variety of different house types and designs. Despite the variety in house type, the area is characterised by dwellings constructed in red brick with hipped or pitched roofs.
4. The single storey extension has been built to the side of the host dwelling and is set back from the principal elevation. The extension has been constructed

primarily in blockwork with its front elevation rendered and painted an off-white colour. The side elevation is largely covered by timber fence panels although plastic sheeting and a blockwork feature which projects above the roof are also clearly visible. These materials are at odds with the appearance of the host building and others in the surrounding area.

5. The extension also incorporates a flat roof which is not consistent with either the hipped roof of the host dwelling or the prevailing type of roof form in the area. Whilst I acknowledge that there are other examples of side extensions nearby, I saw that these were generally constructed in brick and incorporated pitched or hipped roofs and therefore were in keeping with the overall character of the area.
6. Despite being set back from the principal elevation and the screening afforded by the trees and vegetation within the front garden, the extension remains visible within the street scene. By virtue of its materials and design, the extension appears as a haphazard and incongruous feature which is out of keeping with the character and appearance of both the host property and the surrounding area.
7. I therefore conclude that the development is harmful to the character and appearance of the host property and surrounding area. It is contrary to Policies SP1 and DM1 of Manchester's Development Framework Core Strategy Development Plan Document (adopted July 2012) and Saved Policy DC1 of the Unitary Development Plan for the City of Manchester (adopted July 1995).

Other Matters

8. I appreciate that the appellant was unaware of the need for planning permission for the extension and considers that the extension complies with other legislation, including Building Regulations. However, although all of this may well be true, these matters do not weigh in favour of the appeal.

Conclusion

9. For the reasons given above, I conclude that the appeal does not succeed. I have upheld the enforcement notice and refuse to grant planning permission on the deemed application.

David Jones

INSPECTOR