



Appeal Decisions

Site visit made on 27 June 2023

by N Kempton BA(Hons) PGDip MA IHBC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th September 2023

Appeal B Ref: APP/B4215/D/23/3317598

7 Alliot Walk, Manchester M15 5EW

- 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 Hammad Hussein against the decision of Manchester City Council.
 - The application Ref 135536/FH/2022, dated 19 November 2022, was refused by notice dated 6 February 2023.
 - The development proposed is for canopies at the front and rear of the dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, the development had been completed. I have also dealt with another appeal (Ref: APP/B4215/D/23/3317597) on this site. That appeal is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed canopies to the front and rear of the property on the character and appearance of the area.

Reasons

4. The appeal property forms part of a housing development that reflects the Radburn housing design concept. This concept is typified by the back gardens or yards of homes facing the street and the fronts of homes facing one another, over common yards, green space or shared footways. No. 7 Alliot Walk is a two-storey end of terrace property forming part of a short terrace comprising four properties, which is opposite and parallel to a similar short terrace. These terraces typically feature modest front gardens which flank a shared footway.
5. The appeal relates to the erection of two canopies, one to the front and one to the rear of the property. I will consider each in turn, starting with the canopy to the front of the property.
6. A canopy to the front of the property, which has been constructed of uPVC with a timber roof structure and translucent plastic sheeting over. This palette and application of materials is uncharacteristic of the area. The canopy is not readily discernible in longer range public views, by reason of the close-knit grain and the established vegetation within the garden of the appeal property.

This vegetation filters direct views from properties in Holdgate Close- the gardens of which border the appeal site.

7. The structure is, however, intrusive in the close-range views within, and along the length of Alliot Walk. The canopy extends the full width of the existing rear extension. Described as a 'weather sheltered area' on the submitted plans, rather than an internal living space or similar, it is acknowledged that the canopy would not be fully enclosed. Notwithstanding this, the built form of the canopy would encroach upon garden space. The front garden of the appeal property is significantly larger compared with that of other properties in Alliot Walk, by virtue of the layout. However, the size of the plot does not mitigate the harmful effects of the size and siting of the canopy, which results in the loss of soft landscaping, thereby eroding the contribution that the front garden makes to landscape character and diminishing the distinguishing spatial character of the Radburn layout.
8. With regard to the rear canopy, this is constructed of a timber framework with translucent plastic sheeting over. The rear canopy is attached to and extends out from, the rear wall of the extension- from the door to the gate. It extends the full length of the rear yard and beyond the alignment of the rear wall, projecting over the common footway. The height of the rear canopy exceeds the height of both the rear boundary wall and the additional horizontal timber board fencing retrofitted atop the wall. The design and material palette of the rear canopy is uncharacteristic in the area, rather brick predominates, and rear projections and extensions are uncommon. The canopy erodes the spatial qualities of the plot and its contribution to the spatial character of the area.
9. It is accepted that the canopy is not fully enclosed and that the planting of this well vegetated plot can continue to grow around the structure. Indeed, it is also accepted that the planting largely screens the structure from wider public views. However, the canopy is visible from Whiteacre Walk and conspicuous by reason of its uncharacteristic design and materials.
10. The proposed front and rear canopies fail to satisfactorily respond to local character or reflect the local distinctiveness of the site context. The canopies constitute uncharacteristic additions that encroach into garden spaces, thereby eroding the important contribution these garden spaces make to the landscape character and spatial qualities of the Radburn development, providing relief to an otherwise tight- knit grain.
11. The canopies create disharmony with the established layout, to the detriment of the distinctive character and appearance of the area, by reason of the size, design and material palette of the structures. For these reasons, the canopies are contrary to policies DM1, EN1 and SP1 of the Manchester Core Strategy Development Plan Document (2012-2027) (MCSDPD), with regards to the effect of the development on the character and appearance of the area.

Other Matters

12. The appellant contends that only little weight should be attributed to the Supplementary Planning Document (SPD) titled: 'Guide to Development in Manchester' (2007) on the basis that it pre-dates the first issue of the National Planning Policy Framework (NPPF). The SPD is a guidance document and in any event, whatever its status, I have considered the appeal scheme against development plan policies pertaining to design- specifically SP1, DM1 and EN1

of the MCSDPD (2012-2027) which seek good design and require development to create well designed places that enhance character, having regard to matters including siting, layout, form, massing, materials and detail, and the character of the surrounding area- and have determined that the appeal scheme is in conflict with the development plan.

Conclusion

13. I have considered all the submitted evidence and for the reasons given above, I have determined that the development has a harmful effect on the character and appearance of the area. Having considered mitigating factors, I have determined that these do not sufficiently address the harm. The development is contrary to the development plan when read as a whole and there are no material considerations to indicate that a decision should be taken other than in accordance with that plan.
14. I conclude that the appeal should be dismissed.

N Kempton

INSPECTOR