



Appeal Decision

Site visit made on 15 September 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04.10.2023

Appeal Ref: APP/B4215/D/23/3326373

21 Clifton Avenue, Manchester M14 6UD

- 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 Kam Lai against the decision of Manchester City Council.
 - The application Ref 136752/FH/2023, dated 17 April 2023, was refused by notice dated 20 June 2023.
 - The development proposed is conversion of existing outbuilding and erection of ground and first floor extension to existing outbuilding to link with the existing dwelling to form additional living accommodation, with associated elevational alterations to outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing outbuilding and erection of ground and first floor extension to existing outbuilding to link with the existing dwelling to form additional living accommodation, with associated elevational alterations to outbuilding at 21 Clifton Avenue, Manchester M14 6UD in accordance with the terms of the application, 136752/FH/2023, dated 17 April 2023, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: The Location Plan, numbered 00-01; Site Block Plan- Existing, numbered 00-02; Ground Floor Plan Existing, numbered 00-03; First Floor Plan Existing, numbered 00-04; Roof Plan- Existing, numbered 00-05; Existing Elevations, numbered 00-06; Block Plan of the Site, numbered 01-02; Proposed Ground Floor Plan, numbered 01-03; Proposed First Floor Plan, numbered 01-04; Roof Plan- Proposed, numbered 01-05; and Proposed Elevations, numbered 01-06.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing outbuilding.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Main Issues

2. The main issues in this case are the effect of the proposal on: the character and appearance of the streetscene; and on the living conditions of occupiers at No.19 Clifton Avenue, with regard outlook.

Reasons

Character and appearance

3. No.21 Clifton Avenue (No.21) is a two-storey detached dwelling set on the eastern boundary of its plot, well back from the road behind its front garden. On the northern boundary, common with No.19 Clifton Avenue (No.19), is a long outbuilding with a pitched roof and gable facing the road. It is proposed to convert this outbuilding and link it to the existing dwelling with a single storey extension. To accommodate two ensuite bedrooms at first floor, it is proposed to increase the height of the outbuilding by 1m, to a total of around 5.6m.
4. I observed on my site visit that the southern part of Clifton Avenue is generally characterised by large, redbrick two or three storey properties set back from the road behind modest front gardens and driveways. In contrast to this, No.21 is set a distance from the road with mature landscaping in the front garden and there are, therefore, only glimpses of the facing gables of No.21 within the streetscene. However, the black and white gable and garage doors of the outbuilding are clearly visible from the road above the front boundary wall and gates, and parts of its long, southern roof plane is also visible through gaps in the landscaping.
5. The increase in the height of the outbuilding's gable would be visible travelling in either direction along Clifton Avenue, as would part of the north and south roof plane, the former only part hidden by No.19. I do not, however, find that the resulting building would be excessively large or dominant particularly as it would be seen in the context of larger properties on either side at No.19 and 21a Clifton Avenue (No.21a), three and two-storey respectively.
6. In addition to increasing the height of the outbuilding, three full height glazing panels are proposed to an ensuite bathroom within the pitch of the gable facing Clifton Avenue. I acknowledge that the appearance would, therefore, change from an outbuilding (or garage) to a building that has a much more domestic appearance, and could be read as a separate dwelling. Because of the visual separation, scale and simple form, the resulting outbuilding would not, however, compete with its host. Further, rather than appearing an obtrusive feature, it would assimilate well with its immediate neighbour at No.21a, a detached dwelling sited on an infill plot with a similar facing gable and glazing to the road.
7. I therefore find on the first main issue that the proposal would not cause harm to the character and appearance of the streetscene. Consequently, there would be no conflict with policies SP1, DM1 and EN1 of Manchester's Core Strategy, Development Plan Document (2012) (CS) or saved Policy DC1 of The Manchester Plan, Unitary Development Plan for the City of Manchester (1995) (UDP) which together, and amongst other things, require development, including extensions, to be of good design, create well designed places that enhance character and are appropriate in their scale and form. There would

also be no conflict with the principles of achieving well-designed places in the National Planning Policy Framework (the Framework).

Living conditions

8. No.19 Clifton Avenue (No.19) is a large three-storey, semi-detached property (with semi basement) which has been divided into flats.
9. The existing outbuilding forms the common boundary between No.19 and No.21 and is sited around 2.5m from the flank elevation of No.19. The existing pitched roof of the outbuilding extends along the common boundary until it broadly aligns with the rear elevation of No.19 at which point there is a single pitch roof which slopes away from the boundary. To accommodate the first floor bedroom and ensuite bathrooms, it is proposed to increase the height of the outbuilding by 1m (to a total of around 5.6m) and extend the length of the pitched roof by around 1m, so beyond the existing rear building line of No.19.
10. I observed on my site visit that there are windows on the flank elevation of No.19 facing the outbuilding and a three window bay on the rear elevation over basement to first floor of the property, that is located close to the common boundary with No.21. I have not been provided with the internal layouts of the flats at No.19, but I note that the Daylight and Sunlight Assessment submitted with the planning application identifies the basement to first floor bay windows, and ground and first floor flank windows, as serving habitable rooms. From my site visit, I observed that the windows on the flank elevation had obscure glazing and appeared to be serving bathrooms.
11. The proposed increase in height would not particularly affect the first floor windows of the bay on the flank elevation of No.19, as the outlook would be over the roof of the outbuilding, largely as existing. Nor would it affect the basement because there is no window on the bay facing the boundary. At ground floor level the increased length and height of the pitched roof of the outbuilding would be clearly visible from the bay window that faces the boundary. That window is, however, small and the outlook from the main window of that bay (and therein the room it serves) would remain over the amenity area to the rear. The increase in the height of the eaves of the outbuilding would inevitably further enclose the amenity area to the rear of No.19, but this area I found to already be dominated by the boundary wall. This existing situation would not substantively change, particularly as the additional length of pitched roof would slope away from the boundary. Consequently, there would be no significant harm to the outlook from No.19, such that it would be to the detriment of the living conditions of the occupiers of the flats within that property.
12. The proposals would not therefore conflict with CS policies SP1, DM1 and EN1 and saved UDP Policy DC1 which, amongst other things, require developments, including extensions, to be of good design, have regard to the effects on the amenity of neighbouring occupiers and make a positive contribution to the wellbeing of residents. Further, there would be no conflict with the guidance at paragraph 130 of the Framework that development should create places with a high standard of amenity for existing users.

Conditions

13. In addition to the standard time limit for implementation of the planning permission, I have imposed a condition that specifies the approved drawings, in the interests of certainty. To ensure a high quality development, I have also attached a condition requiring that the materials used to construct the extension match those of the existing outbuilding.
14. The Council have suggested a condition that removes national permitted development rights in so far as they relate to additional openings, including windows and doors. Given the proximity of the outbuilding to the flank elevation and rear bay windows of No.19 Clifton Avenue, I concur that such a condition is necessary in order to protect the amenity of the occupiers of those flats.

Conclusion

15. For the reasons given above, I conclude that the appeal is allowed.

R. Jones

INSPECTOR