



Appeal Decision

Site visit made on 24 October 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 November 2023

Appeal Ref: APP/B4215/D/23/3325493

28 Belhaven Road, Manchester, M8 4NR

- 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 Singh against the decision of Manchester City Council.
 - The application Ref 136535/FH/2023, dated 20 March 2023, was refused by notice dated 17 May 2023.
 - The development proposed is a part single, part two storey, side and rear extension and rear roof dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the living conditions of the residents of 30 Belhaven Road with regard to outlook.

Reasons

3. The proposal would result in a number of alterations to this house, including a single storey extension along the shared boundaries with 30 and 26 Belhaven Road. The council have only raised concerns with regard to the impact of the single storey extension on 30 Belhaven Road. Number 30 has a rear extension of more limited depth on the shared boundary, matching the depth of the existing extension at number 28. It has a deeper element which is set well away from the boundary. This ensures that the residents of number 28 have a relatively open aspect from the existing patio doors and the patio area itself, despite the high boundary fence. The deeper section of the neighbouring ground floor extension is dual aspect although its larger windows face the shared boundary.
 4. The proposal would enclose the retained open area to the rear of the neighbouring property. This would significantly reduce the outlook from the patio area; the existing rear facing windows closest to the boundary; and also the side facing windows of the deeper part of the neighbouring extension. This arrangement would also reduce direct morning sunlight to the retained patio area and to the extension, particularly the rear facing windows. This loss of outlook and increased shading would result in unacceptable harm to the living conditions of the residents of 30 Belhaven Road.
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5. Given the above, the proposal would be contrary to policy DM1 of the Manchester Core Strategy (2012); and saved policy DC1(1.1b, 1.2b and 1.3a) of the Unitary Development Plan for the City of Manchester (1995), as these require that regard be had for neighbouring amenity. The proposal would also conflict with the amenity requirements of the *National Planning Policy Framework*.
6. Reference is made to the Council's 'Guide to Development in Manchester Supplementary Planning Document and Planning Guidance' and to the Core Strategy policies SP1 and EN1. These do not add to the more detailed provisions of the policies referred to above in this particular regard.
7. Reference has been made to a large extension at 38 Belhaven Road but the council advise that this was achieved by way of the prior approval procedure. I am not therefore satisfied that the council has been inconsistent in its approach. I also do not find the developments to be entirely comparable and must in any event, consider this proposal on its own merits.
8. I have had regard to the personal circumstances of the appellant and the reported condition of the house. I am also mindful that neighbouring residents were consulted and no responses were received. Whilst these matters offer weight in favour of allowing alterations to the property, they are not sufficient to outweigh my concerns given the current layout of number 30. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR