

Appeal Decision

Site visit made on 12 December 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th January 2024

Appeal Ref: APP/B4215/D/23/3332023

27 Hillcrest Drive, Manchester M19 2RX

- 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 T Storer against the decision of Manchester City Council.
 - The application Ref 136461/FH/2023, dated 6 March 2023, was refused by notice dated 1 September 2023.
 - The development proposed is a first floor extension above existing single storey ground floor; installation of external wall insulation and render to the rear; alterations to window and door openings to the rear façade as well as replacement window sashes to match the existing on the front façade; extend existing terrace and the ground level dug down to provide a garden room beneath; and demolition of existing concrete garage to create a wildlife pond.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the living conditions of the residents of 25 Hillcrest Drive with regard to outlook; and the effect on the character and appearance of the area.

Reasons

Neighbouring amenity

3. The property has a rear terrace and part of the proposal would result in this being extended deeper into the garden. The changes in levels would allow for the proposed garden room to be built beneath it at the lower ground level. At present there is a timber fence at the high terrace level which provides some privacy between this and the neighbouring property, 25 Hillcrest Drive. As the terrace would be set at the floor level of the property it would be marginally higher than existing and a two metres high fence is proposed along its side. Whilst this would be higher, it would be similar to the current arrangement. However, the new fence would extend much deeper along the side of the proposed new decking area where currently the fence follows the falling ground levels.
 4. To the rear of the neighbouring property, the residents have an outdoor patio area set at the lower ground level. This seating area is set away from the
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boundary but nevertheless, this part of their garden would be dominated by this greater depth of high fence which would extend approximately five metres further along the side of the garden. Although the neighbouring ground levels are not shown, they appear to be similar to those within the appeal property. The relative height of the new fence would therefore be over four metres high at a point in the region of eight metres from the rear of these houses. It would be overly dominant and unacceptably intrusive and overbearing. It would result in a significant loss of outlook for the neighbouring residents particularly when in their garden. It would also result in increased shading in the summer evenings to the part of the garden that is designed for sitting out. This adds to my concerns.

5. Given the above, the proposal would be contrary to the amenity requirements of policy DM 1 of the Manchester Core Strategy Development Plan Document 2012 (CS) and saved Unitary Development Plan 1995 (UDP) policies DC1.1b and DC1.2b.

Character and appearance

6. The proposal would result in the construction of a narrow first floor side extension above the existing single storey addition. This would be slightly set back from the frontage. The extended hipped roof and detailing would result in a suitable design with regard to the detail and proportions of the property. However, the set back would not be sufficient to avoid a perceived closing of the relatively narrow gap between this detached house and its neighbour. Although the western end of this road includes some terraced houses, this area is characterised by hipped roofed, semi-detached and detached properties, with relatively uniform gaps between them. The reduction of this space would detract from the existing character of this area and the setting of these two properties. It would not therefore represent good design in this context. It would result in conflict with the design objectives of CS policies SP 1 and DM 1; and UDP policy DC1.1d. Whilst the council make reference to policy DC1.2, I find conflict with policy DC1.4b&c which relates more specifically to side extensions.

Other matters and conclusions

7. Reference is made to an extension at number 17 but as that property is at the end of the road, it does not close an important gap between properties. Whilst this house is the only detached property on this side of the road and is therefore distinguishable from other properties, this does not reduce the importance of the gap between it and its neighbours. Whilst the gap is already reduced at ground floor level, this does not prevent the first floor level gap from being important to the wider street scene. I acknowledge that the proposed works and additional accommodation would result in a number of benefits and I am mindful also that no objections have been lodged.
8. In conclusion, the proposed alterations to the rear fence, would result in unacceptable harm to the amenities of the residents of 25 Hillcrest Drive with regard to outlook, particularly from their garden. The proposed side extension would also result in harm to the character and appearance of the area. In addition to the development plan conflicts, the proposal would also be at odds

with the design and amenity aspirations of the *National Planning Policy Framework 2023*.

9. Whilst I have fully considered the matters put forward, they are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR