



Appeal Decision

Site visit made on 4 April 2024

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th April 2024

Appeal Ref: APP/B4215/D/24/3338250

12 Manor Road, Manchester M19 3EE

- 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 Christopher Kay and Chantelle Van Den Boom against the decision of Manchester City Council.
 - The application Ref 138398/FH/2023, dated 24 October 2023, was refused by notice dated 13 December 2023.
 - The development proposed is double storey side extension and internal works to an existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for proposed double storey side extension and internal works to an existing dwelling at 12 Manor Road, Manchester M19 3EE in accordance with the terms of the application, 138398/FH/2023, dated 24 October 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: Plan 1 - Location Plan, Drawing Number WD2.1; Plan 2 - Proposed Site Plan, Drawing Number WD2.2; Plan 3 - Existing Ground and First Floor Plan, Drawing Number WD3.1; Plan 4 - Proposed Ground Floor Plan, Drawing Number WD3.2; Plan 5 - Proposed First Floor Plan, Drawing Number WD3.3; Plan 6 - Existing Front and Rear Elevations, Drawing Number WD5.1; Plan 7 - Existing Side Elevations, Drawing Number WD5.2; Plan 8 - Proposed Front and Rear Elevations, Drawing Number WD5.3; and Plan 9 - Proposed Side Elevation, Drawing Number WD5.4
 - 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 dwelling.
 - 4) Before first occupation of the development thereby approved, the proposed high level window along the ground floor side elevation, and as shown on: Proposed Ground Floor Plan, Drawing Number WD3.2 and Proposed Side Elevation, Drawing Number WD5.4 shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

- 5) Before first occupation of the development thereby approved, the proposed window along the ground floor rear elevation and the proposed window along the first floor front elevation, and as shown on: Proposed Ground Floor Plan, Drawing Number WD3.2; Proposed First Floor Plan, Drawing Number WD3.3; and Proposed Front and Rear Elevations, Drawing Number WD5.3 shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Main Issue

2. The main issue in this case is the effect of the proposed two-storey side extension on the character and appearance of the streetscene.

Reasons

3. No.12 Manor Road (No.12) is a two-storey bay fronted dwelling located on the corner of Manor Road and Rushmere Avenue, at the end of a short terrace of seven properties. The flank elevation of No.12 is offset from Rushmere Avenue behind a low brick boundary wall, with double gated access to the garden. The proposal is to extend over two-storeys from this flank by around 1.5m, up to the back edge of the pavement.
4. The proposed extension would continue the principal elevation of the terrace on Manor Road, ensuring it remains subservient to the existing deep double bay window. It would be constructed in red brick, with window proportions and lintel details to match the existing. Although the eaves and ridge height would align with the existing roof, within the context of the wider terrace and the streetscene of Manor Road, the proposed extension would appear a modest, sympathetic addition to No.12.
5. On either side of Rushmere Avenue are two-storey terraced dwellings which, I observed on my site visit, have a generally uniform front building line set 1m or so off the back edge of the pavement behind a low brick boundary wall. When viewed from the south on Rushmere Avenue, part of the rear elevation and two-storey outrigger of No.12 are visible within the streetscene, forming a 'bookend' to the terrace. The proposed two-storey extension, by projecting closer to Rushmere Avenue, would inevitably increase the prominence of No.12. However, I find that the projection of only 1.5m from the flank elevation would not be significant, and it would not appear unduly prominent or incongruous.
6. Further, I observed that there is no overriding uniformity or consistency to building lines within the area. Notably, at the other end of No.12's terrace, on the corner of Manor Road and Barlow Road, No.87 Barlow Road is sited forward of the building line of the adjoining terrace. Therefore, whilst resulting in change to the layout of the streetscene, the proposed extension would not be at odds with the character of it.
7. I therefore conclude that the proposed two-storey extension would not result in harm to the character and appearance of the streetscene. Consequently, there would be no conflict with saved Policy DC1 of The City of Manchester Unitary Development Plan (1995) and policies DM1, SP1 and EN1 of the Core Strategy Development Plan Document (2012) which together require good design, which

has regard to the general character of the property and overall appearance in the streetscene, and character of the surrounding area.

Conditions

8. In addition to the standard time limit for implementation, it is necessary to list the plans to which the permission relates as it provides certainty. In the interests of visual amenity, it is also necessary to ensure that the materials match those of the host dwelling.
9. Although high level, the proposed ground floor window on the flank elevation of No.12 would be to Rushmere Avenue and a condition requiring this window to be obscurely glazed is necessary to ensure the privacy of the occupiers. For the same reason, it is necessary to impose a condition requiring the ground floor rear cloakroom window and first floor front ensuite bathroom window to be obscure glazed.
10. The Council have suggested two additional conditions. One is the removal of permitted development rights with regards to windows or door openings and the other seeks to remove permitted development rights for any other use than a dwelling. Paragraph 54 of the National Planning Policy Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. The Council present very little evidence or justification on this matter and I consider the proposal would not be unacceptable without the conditions. Therefore, I find the suggested conditions are not necessary and consequently they have not been imposed.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

R. Jones

INSPECTOR