Appeal Decision

Site visit made on 21 April 2010

by Susan Holland **MA DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

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Decision date:
29 April 2010

Appeal Ref: APP/B4215/D/10/2121467
9 Northbank Walk, West Didsbury, Manchester M20 2YH

- 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 Mrs Gale Prestwich against the decision of Manchester City Council.
- The application Ref 091616/FH/2009/S2, dated 28 October 2009, was refused by notice dated 12 January 2009.
- The development proposed is a 2-storey rear extension.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue is the effect of the proposed development upon the living conditions of neighbouring residents at No.11 Northbank Walk, with reference to overshadowing and outlook.

Reasons

3. The 4 houses in the short terrace comprising Nos.5-11 Northbank Walk face south over open ground towards the River Mersey. As the sun moves through the southern sector, the houses cast a shadow over parts of their own rear gardens: the length of the shadow depending upon the height of the sun, and so reducing to some extent in summer. From late spring to early autumn, residents could also expect, in the late afternoon, to receive some sunlight to their rear gardens from the west. Since there are currently no rear extensions to the terrace, late afternoon summer sun could be expected to reach the rear elevations.

4. The existing outlook from the rear of the terrace encompasses the gardens of houses fronting Northbank Walk and those of houses in Princess Road to the west and north-west, and Penroy Avenue to the east and north-east. At times when the Northbank Walk terrace casts its own shadow, the rear elevations and gardens to houses in Princess Road continue to receive and reflect sunlight from the east and south, providing an outlook which in part compensates for the shading closer to viewpoints in the Northbank Walk terrace.

5. The appeal site at No.9 Northbank Walk is a mid-terrace property. The appeal proposal for a rear extension includes a single-storey element 3.5m in depth, spanning the greater part of the rear elevation from the mutual boundary with the adjoining house at No.11, and stopping short of the mid-terrace

passageway between No.9 and No.7. Above the single-storey element there would be a shorter and narrower 1st-floor element, 2m in depth, also extending out from the party boundary with No.11. Both elements of the proposed extension would be roofed in mono-pitch form, the roof to the single-storey element partially wrapping around the smaller element above it. The mono-pitch roof to the 2nd-storey element would meet the main roof in a position just below the outer face of the existing rear dormer which extends across the full width of the property.

6. The proposed rear extension, and particularly the 1st-floor element, would substantially restrict both the outlook from the rear of No.11 to the west and north-west, and the receipt of sunlight from the west to the rear windows and garden to No.11. Despite the increase in the sun's height with the advancing year, winter levels of shading would be unseasonally prolonged, continuing all through late spring, summer and early autumn. Given the depth of proposed extension there would be a marked reduction in outlook from No.11, and a corresponding sense of overbearing enclosure within the house and garden.

7. I therefore conclude that the proposed development would have a materially harmful effect upon the living conditions of the neighbouring residents at No.11 Northbank Walk, with reference to overshadowing and outlook. The proposed mono-pitched roof form would not adequately prevent the shading and enclosing effect caused by the overall bulk of the extension. I consider that the appeal proposal would not *maintain ... the quality of the ... residential environment* as required by saved statutory Policy H2 of the Manchester Unitary Development Plan (the UDP), but would *create an undue loss of sunlight* in conflict with UDP Policy DC1.2.

8. I recognise that the existing bathroom as shown on the submitted plan is too small to accommodate a bath, but includes only a shower unit in addition to a wash-basin and WC. I understand the desire of the Appellant to provide a spacious bathroom whilst retaining the 3 bedrooms on the 1st floor together with whatever living accommodation is provided in the roofspace (the submitted plans do not indicate the floorspace within the roof). However, on balance I consider this factor insufficient to outweigh my conclusion on the main planning issue.

9. The existing flat-roofed dormer spans the full width of the roof and reaches almost to the main ridge. The proposed rear extensions vary markedly in width and depth, and would appear awkward both in their tiered arrangement and in the juxtaposition of the upper roof with the lower edge of the existing dormer. In combination the dormer and proposed extensions would result in a visually restless, over-complicated and unbalanced elevation, adding weight against the proposal.

S Holland

INSPECTOR