The Planning Inspectorate

Appeal Decision

Site visit made on 19 September 2012

by N M McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 8 October 2012

Appeal Ref: APP/B4215/A/12/2178039
2 Clifton Avenue, Manchester, M14 6UB

- 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 Equilibrium Healthcare against the decision of Manchester City Council.
- The application Ref 098918/FO/2012, dated 9 March 2012, was refused by notice dated 15 May 2012.
- The development proposed is a retrospective application for the erection of a detached building to form ancillary accommodation.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The development the subject of this appeal has already been carried out.

3. A previous application[1] for retrospective permission for the building the subject of this appeal was approved in February 2012, subject to conditions, which included amendments to the front elevation.

4. The Council accepts the appellant's point that the description of the planning application should not refer to B1 office space, as per the decision notice, but should read "retrospective application for the erection of a detached building to form ancillary accommodation." I have used that description above and confirm that I have considered the appeal on this basis.

5. On 27 March 2012 the government published the National Planning Policy Framework ("the Framework"), which replaced most extant national Planning Policy Statements and Guidance with immediate effect. The parties were given the opportunity to make any representations as to its impact in their respective cases and its provisions have informed my determination of this appeal.

6. Since the application was refused, the Council's Core Strategy[2] has been adopted. The Core Strategy replaces a large number of policies in the Council's UDP[3], including policy H2.2 previously referred to in the decision notice.

[1] Ref 097772/FO/2011/S1
[2] Manchester's Local Development Framework Core Strategy Development Plan Document (July 2012)
[3] The Manchester Plan The Unitary Development Plan for the City of Manchester (1995)

Main Issues

7. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

Character and appearance

8. No. 2 Clifton Avenue is a semi detached Victorian villa building, currently used for supported housing. Clifton Avenue in this area comprises a residential street, with a mix of period and modern semi detached dwellings. The dwellings are garden fronted and this feature, together with further gardens to the rear and the presence of mature trees, provides a green setting to what is an attractive street. There is a cleared site adjacent to the appeal property and I understand that this site is subject to an application for residential development.

9. The building the subject of this appeal is located adjacent to, and provides ancillary accommodation for, the host property, No. 2 Clifton Avenue. It is a single storey building, comprising a meeting room, wc and office facilities and is of brick and tile construction. Whilst the building is no larger than a domestic double garage, or a single storey side extension, its blank façade, facing out onto Clifton Avenue, means that it has the appearance of neither, but is out of keeping with other buildings on the street. This elevation has skylights in the roof, but the absence of either a door or windows in the wall creates an unusual, inappropriate and incongruous relationship with the rest of the street, where there are no such blank frontages.

10. In support of its case, the appellant refers to the building being well-masked by landscaping and appearing diminutive against the host property, as well as the building's distance from the back of footway and front elevations of other properties on the street. However, I find that, due to its stark and ugly blank frontage, the building still appears prominent when seen from Clifton Avenue, detracting from the character and appearance of the area. There is no substantive evidence before me to demonstrate why the insertion of a window need significantly reduce privacy inside the building – for example, why an internal blind or similar could not be used to prevent occupants being seen; or why the window could not be closed, to prevent conversations being overheard; and nor do I consider that a window in itself, provides a heightened security risk. Whilst the appellant refers to an absence of objection to the existing building from neighbours, this could be for any number of reasons and does not in itself equate to support.

11. Taking the above into account, I find that the proposal would harm the character and appearance of the area, contrary to Core Strategy policy DM1, which amongst other things, seeks to protect local character.

Conclusions

12. For the reasons given above, the appeal does not succeed.

N M McGurk

INSPECTOR