



Appeal Decision

Site visit made on 20 November 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/B4215/D/24/3351938

23 Mauldeth Road West, Manchester M20 3EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Farmiloe against the decision of Manchester City Council.
 - The application Ref is 140328/FH/2024.
 - The development proposed is the erection of a rear 'L' shaped dormer.
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Decision

1. The appeal is allowed and planning permission is granted for a rear 'L' shaped dormer at 23 Mauldeth Road West in accordance with the terms of the application, Ref 140328/FH/2024, subject to the following condition:
 - 1) The development hereby permitted relates to the following approved plans: Floor Plans, Elevation and Section dated 7 August 2024.

Procedural Matters

2. The dormer extension has already been constructed. Consequently, I have dealt with this appeal on the basis that the proposal is to retain the existing structure.
3. The Council officer's report points to some differences between the submitted plans and what has been built on the site. I consider that these differences are relatively minor and they do not affect my assessment of the proposal.

The Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the existing dwelling and its surroundings.

Reasons

5. The appeal dwelling is terraced property, which is situated in a residential area. The area is characterised by both terraced and semi-detached dwellings that vary in their age, scale and appearance. I observed during my site visit that other rear dormer additions have been constructed on properties along Mauldeth Road West. I note that the Council is 'investigating' some of these, although the appellant considers them to be permitted development.
6. The appellant constructed the dormer on the basis that it was permitted development. However, that was found to be incorrect and both the Council and an Inspector at appeal (APP/B4215/X/24/3338345) concluded that planning permission would be required.

7. The Council contends that the proposal would be overly bulky and visually obtrusive, due to its scale and design. It considers that it would be out of character with the area. As such, the Council cites a conflict with Policies SP1, EN1 and DM1 of the Manchester Core Strategy 2012 (CS) and with Policy DC1 of the Unitary Development Plan for the City of Manchester 1995 (UDP).
8. The above policies seek to ensure (amongst other things) that the design of new development is of high quality and that its scale and design has regard to the character of the surrounding area. Policy DC1 of the UDP also states that residential extensions should not be excessively large or bulky and they should be subservient in relation to the existing dwelling.
9. The appeal proposal does appear as a bulky and dominant addition to the property and, in that regard, there is conflict with the above Development Plan policies. The visual impact of the dormer is, however, tempered by its position at the rear of the property, which means that views from public areas are limited. Furthermore, the existence of other dormer structures along Mauldeth Road West means that it is not wholly out of context with its surroundings.
10. In reaching my decision, I am also required to consider the 'fallback' position put forward by the appellant, which is a material consideration. I accept that a smaller dormer could be constructed under permitted development and I also note that the Council would have no objection to a rear-facing dormer within the main roof area. Whilst I accept that a smaller dormer on the rear outrigger would reduce the habitable space, I believe that the appellant would implement this alternative, should the appeal be dismissed.
11. Furthermore, I consider that a smaller dormer would not be significantly different in appearance when compared to the appeal proposal and therefore, on balance, I conclude that the appeal should succeed.

Conditions

12. As the development has already been constructed, no conditions, other than a condition specifying the approved plan, are necessary.

Conclusion

13. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR