The Planning Inspectorate

Appeal Decision

Site visit made on 30 May 2024

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25TH June 2024

Appeal Ref: APP/B4215/D/24/3340827
38 Wyverne Road, Manchester M21 0ZN

- 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 and Mrs Thorne-Bowman against the decision of Manchester City Council.
- The application Ref 138647/FH/2023, dated 24 November 2023, was refused by notice dated 29 December 2023.
- The development proposed is demolition of existing single storey rear extension. New two-storey extension and single storey rear extension.

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing single storey rear extension. New two-storey extension and single storey rear extension at 38 Wyverne Road, Manchester M21 0ZN in accordance with the terms of the application, 138647/FH/2023, dated 24 November 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: Existing Site Plan – drawing ref 2301-01; Existing Ground Floor Plan – drawing ref. 2301-06.1; Existing First Floor Plan - drawing ref. 2301-06.2; Existing Elevation - drawing ref. 2301-06.5; Proposed Site Plan - drawing ref. 2301-02; Proposed Ground Floor Plan - drawing ref. 2301-06.3; Proposed First Floor Plan - drawing ref. 2301-06.4; Proposed Elevation - drawing ref. 2301-06.6.

   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, unless otherwise shown on the approved plans.

   4) Before first occupation the windows in the first floor side elevation (north) shall be obscure 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those shown on the

approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Preliminary Matter

2. The Places for Everyone Joint Development Plan Document (PfE), which was adopted in March 2024, replaces parts of the Manchester Core Strategy (2012) (CS), but not those policies (or sections of the policy) referred to in the Council's decision notice. I has not therefore been necessary to seek further comments from the main parties on this matter.

Main Issues

3. The main issues in this case are the effect of the two-storey side extension on the character and appearance of the streetscene; and the visual amenity of the neighbouring dwelling at No.36 Wyverne Road.

Reasons

4. No.38 Wyverne Road (No.38) is a two-storey 1930s semi-detached dwelling finished in a red facing brick with dentilled style brick course and rendered first floor. It is proposed to construct a two-storey side extension which would project around 1.3m from the existing flank elevation, offset from the common boundary with the non-attached neighbour at No.36 Wyverne Road (No.36) by around 0.88m.

5. The text to saved Policy DC1 of the Unitary Development Plan for the City of Manchester (1995) (UDP) sets out that 'as a guide' the Council will normally permit 2-storey house extensions which, where built, would leave a minimum of 1.52m between the side wall and the common boundary. It further states, however, that proposals which cannot meet this will be judged on their merits, with weight given to (a) the development potential of the gap being shared equally by the two properties concerned; and (b) the potential to create a terracing effect where this would be unsympathetic to the street.

6. I observed on my site visit that the non-attached neighbour at No.36 is offset a similar distance (around 2m) from its shared boundary as No.38 and therefore the potential for a side extension is equally shared.

7. The proposed side extension has been deliberately designed so that it continues the roof form, and ridgeline of the host dwelling, and is not set back from the principal elevation. Although fairly typical for side extensions, because of the very modest width proposed (only around 1.3m), a set down from the host ridgeline and set back from the principal elevation would, in this case, appear somewhat contrived. The proposed extension would have a textured brick pattern to the frontage which would differentiate it from the original dwelling, appearing subservient to it. It would inevitably narrow the gap between No.38 and its neighbour, but this, I observed on site, would have little impact on the streetscene. The visible gap would remain between the dwellings and the proposed extension would not result in a terracing effect, such that it would appear unsympathetic within the streetscene.

8. The proposed side extension would run the length of the existing flank elevation of No.38, continuing the roof form and finishing with a gable end. The gable end would project around 1.3m closer to the boundary with No.36, which has a more modest, hipped roof form although only a marginally lower ridge

height. Whilst the extension moves the massing of the dwelling closer to the shared boundary, its modest projection means it would not markedly differ from the existing relationship, and it would not have a visually overbearing effect on its neighbour.

9. I note that other dwellings on Wyverne Road have been altered and extended in various ways and No.41 Wyverne Road is referred to by the Council as an example that is set back at first floor to relieve the terracing effect. I am not persuaded, however, that the extension to No.41, which includes a hipped roof, rather than extending the host gable, is a more appropriate design approach than the one before me.

10. I therefore conclude on the main issues that the proposed two-storey side extension would not cause harm to the character and appearance of the streetscene, or to visual amenity. Consequently, it would accord with UDP Policy DC1 and CS policies DM1, SP1 and EN1 which together seek to ensure well designed places, that have regard to appropriate siting, layout and scale and enhance, reinforce or create local character. It would further accord with the guidance at paragraph 135 of the National Planning Policy Framework (the Framework) that developments are visually attractive as a result of good architecture and are sympathetic to local character.

Conditions

11. In addition to the standard time limit for implementation, I have imposed a condition specifying the approved drawings in the interests of certainty. I have also imposed a condition requiring the materials to match those of the existing dwelling, unless otherwise shown on the approved drawings.

12. The Council have suggested a condition that, prior to occupation, the window on the first floor side elevation (north) shall be obscure glazed. As this window directly faces No.36, I agree this is necessary to protect the privacy of those neighbours. The Council have further suggested the removal of permitted development rights so far as they relate to the insertion of additional glazing, windows or doors. I am mindful of the guidance at paragraph 54 of the Framework, but in this case, given the proximity of the proposed extension to No.36, I find there is clear justification to restrict national permitted development rights in the interests of the amenity of these neighbours.

Conclusion

13. For the reasons given above, I conclude that the appeal is allowed.

R. Jones

INSPECTOR