



Appeal Decision

Site visit made on 5 May 2021 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by Martin Seaton BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 June 2021

Appeal Ref: APP/B4215/W/21/3268075

35 Goulden Road, Manchester M20 4ZE

- 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 Manchester Rent-a-Home against the decision of Manchester City Council.
 - The application Ref 128296/FO/2020, dated 14 October 2020, was refused by notice dated 9 December 2020.
 - The development proposed is a ground floor extension to rear, conversion of hipped roof to gable end and provision of dormer to rear elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension, hip to gable roof with rear dormer together with Juliet balcony and the insertion of two roof lights to the front elevation to provide additional living accommodation at 35 Goulden Road, Manchester M20 4ZE in accordance with the terms of the application, Ref 128296/FO/2020, dated 14 October 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 2020-01-01.
 - 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 building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The description of development in the banner heading above is taken from the planning application form however, a revised description has been used by the Council in the decision notice and this is adopted by the appellant on the appeal form. I have used the revised description in the formal decision as it more accurately reflects the proposal.

Main Issues

4. The effect of the proposed development on:

- (i) the living conditions of adjacent occupiers, with particular regard to noise and disturbance; and
- (ii) The character and appearance of the host dwelling and the wider area.

Reasons for the Recommendation

5. The appeal property is a two-storey semi-detached property located in a predominantly residential area. It currently has five bedrooms and is used as a House in Multiple Occupation (HMO) within Use Class C4¹.

Living conditions

6. This proposal seeks permission solely for built development/extensions to the appeal property. The number of bedrooms would remain as existing, albeit bedroom five would be relocated in the loft space and would therefore be larger. The proposal would also result in additional bathroom facilities and a larger kitchen/lounge. There is no substantive evidence before me to suggest that the resultant larger living accommodation would lead to an intensification of the use. Rather, there is no reason to consider that the comings and goings from the property and any associated noise and disturbance would be a departure from the existing arrangement and, due to the restricted bedroom numbers, the total number of occupants would be similar to if the appeal property was occupied by a single family.
7. I acknowledge the concerns of the Council and neighbours that this proposal could result in a further bedroom being added to the property. However, it is imperative that I determine this appeal based on the information before me and, whilst the proposal would extend the host property, the appellant and the proposed plans clearly indicate that the total number of bedrooms would remain at five.
8. Nevertheless, even if one of the larger bedrooms would be occupied by a couple, as the appeal dwelling falls within Use Class C4 it could currently be occupied by up to six people without planning permission.
9. Whilst I note the concerns from neighbouring occupiers regarding existing noise and disturbance, my attention has not been drawn to any formal complaints received by the Council in the time this HMO has been in use. Nonetheless, I am mindful that this proposal does not seek a change of use.
10. Consequently, this proposal would not have a detrimental effect on the living conditions of adjacent occupiers, with particular regard to noise and disturbance. Therefore, it would accord with policies DM1 and SP1 of Manchester's Local Development Framework, Core Strategy (July 2012) (the CS) which seek to ensure that developments have regard to the effects on amenity and make a positive contribution to the health and wellbeing of residents.

Character and appearance

11. The appeal dwelling is primarily read in context with the pairs of similarly designed semi-detached properties along Goulden Road, many of which have

¹ Town and Country Planning (Use Classes) Order 1987 (as amended)

undergone roof alterations. For this reason, and due to the presence of terraced properties opposite, the character of the street scene is varied.

12. The Council has not explicitly detailed its concerns with the design of the proposal. The proposed hip to gable extension would be readily apparent from the public realm, however it would be in keeping with other semi-detached dwellings in the locality and the similar roof extension at the attached property. As such there would be good symmetry in the host pair. The proposal would also respect the characteristics of the host dwelling and there would remain good spacing between it and No 33 Goulden Road. The proposed single storey and dormer extension would be positioned to the rear and would be subservient additions.
13. Therefore, this proposal would not result in harm to the character and appearance of the host dwelling or the wider area. It would comply with policies DM1 and EN1 of the CS and policy DC1 of The Unitary Development Plan for the City of Manchester (1995) which collectively seek to ensure that proposals have regard to and reinforce the general character of the property and the surrounding area.

Other Matters

14. I note the concern from neighbours regarding potential overlooking from the proposed rear dormer. The Council has not raised concern in this regard, and I consider that the outlook from the loft bedroom would not result in an unacceptable impact of any significance beyond the relationship achievable from the existing rear first floor bedroom window. Furthermore, I am not convinced that there would be greater overlooking from this property due to its use as an HMO than if it were in use as a single-family dwelling.
15. Concerns over parking and the disposal of waste have been raised by neighbours however the Council raises no objection on these grounds. This proposal does not seek an increase to the total number of people residing at this property. Moreover, I consider that the use of this property as a small HMO would operate similarly to a family dwelling, in these regards.

Conditions

16. Other than the standard time limit and approved plans condition, I have attached a condition restricting the materials of external surfaces to match the existing building. In the interests of the character and appearance of the host dwelling and the wider area this condition would be necessary.

Conclusion and Recommendation

17. The proposal accords with the development plan when taken as a whole and this is not outweighed by any other consideration, including the objections to the scheme, therefore I recommend that the appeal should be allowed.

H Ellison

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis I agree that the appeal should be allowed.

Martin Seaton

INSPECTOR