Appeal Decision

Hearing held on 2 December 2008
Site visit made on 2 December 2008

by Brendan Lyons **BArch MA MRTPI IHBC**

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

The Planning Inspectorate
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Decision date:
24 December 2008

Appeal Ref: APP/B4215/A/08/2075520
7A Colgate Crescent, Fallowfield, Manchester M14 6FN

- 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 R I'Anson against the decision of Manchester City Council.
- The application Ref 085898/FO/2008/S1, dated 18 February 2008, was refused by notice dated 31 March 2008.
- The development proposed is one 3-bedroom detached house and garage.

Decision

1. I allow the appeal, and grant planning permission for one 3-bedroom detached house and garage at 7A Colgate Crescent, Fallowfield, Manchester M14 6FN, in accordance with the terms of the application, Ref 085898/FO/2008/S1, dated 18 February 2008, and the plans submitted with it, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

   3) No development shall take place until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the local planning authority. The details of the approved scheme shall be implemented before the development hereby approved is brought into use and remain in place while the development is in use.

   4) No development shall take place until details of the location and design of the proposed garage and drive have been submitted to and approved in writing by the local planning authority. The submitted details shall include measures to ensure that adequate space is available at all times for a car to be parked on the drive without encroaching on the public footway. Development shall be carried out in accordance with the approved details and maintained thereafter.

Main issue

2. The main issue is the effect of the proposed house on the character and appearance of the area.

Reasons

3. The appeal site comprises the fenced-off side garden of a suburban semi-detached house that stands on the bend of a crescent of similar houses. It is proposed to erect a new house with a narrow front adjoining that of the original house and a long side elevation with a projecting entrance bay. A garage and drive would be added to the rear.

4. It is not disputed that the site comprises previously developed land and lies in a relatively sustainable urban location. The principle of its development would be supported by national and regional policy, subject to the achievement of an acceptable proposal.

5. The character of the area is set by long rows of evenly spaced houses of very consistent design, set back from the generally straight roads by a near uniform distance. There is a great economy of layout, with occasional 'half semi-detached' units fitted in where necessary to complete the street frontages. The proposal to fill available space with an additional detached unit would not be inherently out of keeping with the local character.

6. The looped form of Colgate Crescent appears unusual in the area, with the row of houses carrying on around the outside of its two bends. Like other corner spaces in the area, the side gardens of Nos.7 and 9 provide a degree of relief from the general regularity of the layout. However, the space to the side of No.7 is exceptionally wide even by the standards of the area. The proposal demonstrates that a narrow-fronted house would preserve a distance from the road equal to or greater than that prevailing among the houses on the opposite side. Although there would be some loss of openness in the layout, the overall character of the street scene would not be unduly harmed. The house would be enclosed with garden space on its two main frontages, similar in extent to several other corner houses nearby.

7. The front of the house would echo the bay window treatment of surrounding houses and its hipped roof, although of reduced span, would reflect the prevailing roof form. The side elevation would address the road with a number of window openings. The finished house would not be an oppressive feature, nor would there be any significant loss of visual amenity.

8. In respect of the side elevation and of the setback from the road, the proposal would address the two main concerns that led to the dismissal of a previous appeal in 2007 (APP/B4215/A/07/2044300).

9. I consider that the proposal would accord with national and regional policy and with Policy H2.2 of the Unitary Development Plan for the City of Manchester, which seeks to protect the character of residential areas. In acknowledging the distinctive quality of the area and in its relationship with the street and surrounding buildings, the proposal would comply with advice in the Council's *Guide to Development in Manchester* Supplementary Planning Document.

10. Concerns raised by local residents principally relate to increased traffic and parking, particularly if the house were to be let out to students. However, the Council raises no objection on parking grounds and the tenure of the house is not a matter for planning control. I have no reason to assume that the additional traffic from one house would be significant or that proposed on-site parking provision would not be adequate. On my visits to the site, which I accept may not be typical, on-street parking was very light.

11. The Council also does not endorse concerns about overlooking. I agree that windows in the new house would be sufficiently far away from houses opposite to protect privacy and living conditions for existing and new residents.

12. It was accepted at the Hearing that the proposed garage was not accurately shown on the plans. Details of its location and appearance would need to be agreed by condition, including a door opening that would not impinge on the available length of the drive, in order to ensure the availability of off-street parking. However, the Council accepted that the proposed condition requiring the garage to be retained for parking and not to be converted to residential use was not necessary.

13. Of the other conditions proposed by the Council, it was agreed that a requirement for the development to be carried out in accordance with the approved plans was not necessary, but that approval of details of materials and storage of refuse were required to protect the appearance of the area and public health.

14. I have taken account of all other matters raised, but have found none of sufficient weight to alter my conclusion that the appeal should be allowed and planning permission granted subject to conditions.

Brendan Lyons

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr G Kenyon	Kenyon & Company 1 Queensway, Didsbury, Manchester M19 1QP
Mr R I'Anson	Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mr S McCoombe	Planning Officer Manchester City Council
Ms T Simpson	Case Officer Manchester City Council

INTERESTED PERSON:

Councillor A Fender	Manchester City Council

DOCUMENTS

1 Council's letter of notification of the Hearing and list of those notified
2 Extracts from the North West of England Plan: Regional Spatial Strategy to 2021