



Planning Appeal Statement - 33 Willow Way Didsbury, Manchester

On behalf of Ms Helen Sharman

January 2023

1 Introduction

1.1 Q+A Planning Ltd has been appointed by Helen Sharman to produce a Statement of Case to accompany a Planning Appeal submitted under the written representations procedure. The appeal is against the refusal of planning application 134510/FH/2022 by Manchester City Council for a two-storey side, and part single/part two-storey rear extension to form additional living accommodation. It was refused under delegated powers on 15 November 2022.

1.2 The existing dwelling comprises a four-bed semi-detached property. The side/rear extension was designed to provide two smaller bedrooms and a reconfigured living area to accommodate Ms Sharman's elderly parents in the family home.

1.3 The application was refused by the Council on 15 November 2022 for the following reason:

The proposed two storey side extension by reason of its scale, massing and siting; would not be subservient; would form an overly dominant and visually obtrusive feature within the street scene and would be incongruous with the character of the area in general, to the detriment of visual amenity and as such is contrary to saved policies DC1.1, DC1.2 and DC1.3 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework

1.4 This Statement of Case considers the impact of the proposed extension on the street scene and makes reasoned justification why planning permission should be granted for the proposed development.

1.5 The appeal comprises the following drawings:

- Site Location Plan;
- Existing Site Plan (Site Surveying Services – SSS-9862 Rev A);
- Existing Elevations and Floorplan (Site Survey Services – SSS-9862 Rev A);
- Existing Elevations (Corstorphine & Wright Architects – 21579-0003 Rev P-00);
- Proposed Floorplan (Corstorphine & Wright Architects – 21579-0001 Rev P-03);
- Proposed Elevations (Corstorphine & Wright Architects – 21579-0004 Rev P-04); and
- Proposed Site Plan (Corstorphine & Wright Architects – 21579-0005 Rev P-00).

2 The Site and Surroundings

- 2.1 The Appeal Site comprises a two-storey semi-detached dwelling on the north side of Willow Way, Didsbury. The properties comprise attractive, two-storey, gable fronted, red brick and white render dwellings, with off street parking to the front.
- 2.2 33 Willow Way has a wider frontage than most of the plots on the road as demonstrated on the location below.



- 2.3 The property currently has a two-storey side extension (approved 28 February 2001 Application Reference.061072/FH/SOUTH2/01) and a lean-to single storey car port adjacent to the boundary with the property at 31 Willow Way.

3 The Appeal Proposal

- 3.1 The application proposes to demolish the car port and erect a two-storey side extension and single storey rear extension to create additional living accommodation for the appellants elderly relatives.
- 3.2 The proposed extension would be 3 metres in width and project 2.5 metres beyond the rear elevation of the dwelling. The single storey rear extension would extend 1 metre beyond the existing outrigger between the proposed extension and the existing dwelling.
- 3.3 The extension has been designed to reflect the character and appearance of the existing dwelling and others within the street scene. It is recessed behind the front main wall of the original house and has a ridgeline below the original dwelling.
- 3.4 The proposed side extension would be inset from the boundary with the neighbouring property at 31 Willow Way by 0.9 metres. It will maintain a visual break between the properties and keep a distance which is characteristic with the street scene.
- 3.5 The property at 31 Willow Way also has a two-storey extension which extends into the rear garden and has a 0.3 metre gap to the boundary. There will be no impact on the privacy or amenities of this dwelling arising from the development.
- 3.6 The occupiers of the neighbouring property have written in support of the extension and consider that the plans are in keeping with the area. There are no objections from any other neighbouring properties to the development.

4 Policy Considerations

- 4.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that all planning decisions are required to be made in accordance with the development plan for the area unless material considerations indicate otherwise. The appeal must therefore be considered within the context of the Statutory Development Plan for Manchester which comprises:
- Manchester Unitary Development Plan (saved policies) – adopted 21 July 1995;
 - Manchester Core Strategy – adopted 11 July 2012; and
 - National Planning Policy Framework – adopted July 2021.
- 4.2 Saved Policy DC1 is a comprehensive policy relating to residential extensions and states:
- *DC1.1 - in determining applications regard will be had to the:*
 - a. character of the property;*
 - b. effect on the amenities of neighbours;*
 - c. desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;*
 - d. overall appearance in the street-scene;*
 - e. effect of loss of on-site carparking*
 - *DC1.2 – allows extensions subject to compliance with the following criteria:*
 - a. they are not excessively large or bulky (resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);*
 - b. no undue loss of sunlight, daylight or privacy;*
 - c. not out of character with the development in the area or street scene by virtue of design, materials or constructional details;*
 - d. they would not result in the loss of off-street car-parking, where this would be problematic*
 - *DC1.3 states notwithstanding the above the council will not normally approve:*
 - a. rearward extensions greater than 3.65m (12 ft) in length;*
 - b. 2-storey extensions with a flat roof, particularly those visible from the public highway*
 - c. 2-storey extensions to terraced properties which occupy the full width of the house;*
 - d. flat roofed extensions to bungalows;*
 - e. extensions which conflict with the Council's guidelines on privacy distances.*
 - *DC1.4 – the council will consider proposals for 2-storey side extensions and ensure that:*
 - a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;*
 - b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;*
 - c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.*

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

- *DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.*
- *DC1.6 For the avoidance of doubt, policies DC1.1 to DC1.4 apply to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels.*

Reasons: Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

- 4.3 Policy SP1 –sets out core Development Principles for developments to make a positive contribution to neighbourhoods of choice including:
- creating well designed places that enhance or create character.
 - making a positive contribution to the health, and wellbeing of residents
 - considering the needs of all members of the community; and
 - protecting and enhance the built environment.
- 4.4 Policy DM1 – ‘Development Management’ requires developments to consider impacts such as:
- siting, layout, scale, form, massing, materials and detail.
 - design and scale on the character of the surrounding area.
 - Effects on amenity, including privacy.
- 4.5 The grounds of appeal will assess the proposal against the requirements of these policies and explain why the appellant considers that planning permission should be granted.

5 Grounds of Appeal

- 5.1 The Appellant contends that the proposed side and rear extension are acceptable in terms of design, scale, siting and massing and will not represent a visually intrusive feature in the street scene nor be incongruous to the character of the area.
- 5.2 The Officers Report (OR) acknowledges that the principle of a residential extension is acceptable, providing that it is in keeping with the character and appearance of the property and surrounding area and does not have a detrimental impact on the amenity of neighbouring residents.
- 5.3 Manchester City Council has not adopted any specific supplementary planning policy or guidance documents relating to householder extensions. In the absence of such supplementary policy the Council relies on saved Policy DC1 from the Unitary Development Plan adopted in 1995 and Strategic Policies SP1 and DM1 from the Core Strategy 2012 to support the reason for refusal.
- 5.4 Considering Policy DC1 as a whole, we contend the proposal will meet with all aspects of the policy from DC1.1 - 1.6. The OR acknowledges that there is no impact on the amenity of any neighbouring properties and the rear single storey extension is acceptable. There is no loss of light or privacy, and the scheme accords with the policy aspirations enabling people to adapt their houses in appropriate ways to meet changing household needs.
- 5.5 The OR also notes that the proposed extension is (i) set back from the front elevation, (ii) set in from the boundary and (iii) beneath the ridgeline of the main dwelling. However, the report concludes that there is a conflict with policy as the proposed side extension, in conjunction with the existing extension is not subservient to the existing dwelling.
- 5.6 The OR considers that the two extensions with a combined overall width of 0.5 metres more than the host dwelling, and without a meaningful set back, will '*unbalance the semi*' and appear '*excessive, bulky and out of proportion*'. On this basis the proposal is considered overly dominant and visually intrusive in the street scene and incongruous to the character of the area, contrary to Policy DC1.2
- 5.7 We do not share this assessment and consider that the rigid application of 'planning by numbers' fails to consider Policy DC1 as a whole. The development complies with the specific aspects of the policy in relation to side and extensions, and the OR does not consider the merits of the scheme, the overall quality of design and physical appearance in the street scene.
- 5.8 In support of the proposal, the existing property is larger and occupies a plot which is already significantly wider than others in the street with an existing gap to the boundary that is not conventional in the area. This is clear on a 2D plan.

Front Elevation of 33 Willow Way



- 5.9 The proposal has been carefully designed to reflect the existing dwelling in terms of window proportions, cill heights, choice of materials and roof design and the elevation will be wholly in keeping with all the properties along Willow Way. It will maintain a meaningful 0.9 m gap to the boundary, a size that is that is reflective of most other properties on Willow Way as opposed to the unconventional gap that appears at present.
- 5.10 It is not uncommon, and indeed it creates interest to have houses of varying size and design in the street scene. Directly opposite the site on Willow Way, the properties are different. As the plot at 33 Willow Way is larger, it is clearly capable of accommodating an extension of this size without having a detrimental impact on the street scene. The views walking along the street allow glimpses of properties, interspersed by the gaps between them, front gardens, foliage, and street trees. The extension will be viewed in this context not as a flat 2D drawing.
- 5.11 As such we consider that the character of the frontage will be maintained, and the development will not be visually intrusive or overly dominant. Rather than incongruous it will be in keeping with the surroundings and the character of the area.

Current Gap between 31 and 33 Willow Way



Street Scene along Willow Way from east



5.12 During the determination of the application, and as stated in the OR, the LPA suggested that if the first-floor element was removed this would be more acceptable. This suggestion was resisted for two main reasons.

- First of all, it would fail to provide the additional bedroom accommodation needed to support the family generations – (as allowed for by policy DC1 and arguably even more the case since the policy was first adopted 28 years ago); and
- Secondly, a single storey side extension would, in our opinion, appear more incongruous and less sympathetic in the street scene than a well-designed two storey extension. Moreover it could, subject to compliance with the criteria set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, be achieved without the need for planning permission. This would not however meet the needs of the Appellant or be appropriate as an extension that is in keeping with the area.

5.13 The reasons given for Policy DC1 acknowledge that the planning system needs to accommodate the demand for people to create more living space, allowing them to extend their existing homes rather than move, and while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It further states that the Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

5.14 Therefore, to say that at 6.8 metres the extension is not acceptable but if it were marginally reduced in width, or a storey removed, it would then be 'subserving' fails to consider the overall policy compliance, design character and impact on the street scene as a whole.

5.15 The Appellant's need to accommodate elderly relatives within the family home would be best served by an extension on the extensive land to the side of the property, rather than alternatives within the plot such as the introduction of a single storey building in the garden or a large flat roofed dormer extension (which is prevalent on at least nine properties in Willow Way).

5.16 Whilst a dormer may not be visible in the street scene, but remains visible from other properties, and could arguably appear more incongruous, excessive, bulky and out of proportion than the side extension currently proposed.

5.17 The Council has allowed other extensions on Willow Way under Policy DC1 which create quite a 'different' character (as indicated in the image of 43 Willow Way below). This two-storey side extension incorporates a set-back but the design truncates the brickwork vertically to allow a rendered flat roofed rear extension. It also introduces a flat roofed front projection, and changes the render and windows which we consider has a greater impact on the character of the street scene than the carefully designed proposal the subject of the appeal.

Photograph of recent alterations made to 43 Willow Way



Aerial Image alterations made to rear properties on Willow Way



- 5.18 The 1995 UDP policy allows for adaptations to dwellings to enable people to meet changing household needs and given that this can be accommodated without a detrimental impact on the street-scene; and with no objections from any neighbouring property, we consider that the proposed extension should be permitted.
- 5.19 There is no guidance or definition as to what is meant by subservient. The extension has a set back and a reduced roof line and is in keeping with the character of the property and the requirement of Policy DC1 as a whole. A narrower extension will result in rooms of inadequate width as a future proofed home, and a single storey extension will not provide the necessary bedroom accommodation.

- 5.20 With regard to Policies SP1 and DM1 there are no grounds of conflict to justify the reason for refusal. It is agreed there are no impacts on the amenity of neighbouring properties and there is a letter of support from the adjacent dwelling. The extension is well designed and meets the needs of all members of the community, the siting, layout, form, massing and materials are appropriate and the architect has paid regard to the character of the surrounding area.
- 5.21 We also do not consider the scheme is contrary to NPPF Chapter 12 – ‘*Achieving well designed places*’. Rather, the proposal is in accordance with the requirements of the NPPF, delivering sustainable development on previously developed brownfield land to address the modern requirements of multi- generational family living. The total footprint of the dwelling on the site will still leave more than 50% of the site undeveloped, and we therefore do not agree with the Council’s assertion that the proposed extension amounts to overdeveloped of the plot.

6 Conclusion

- 6.1 The Appellant contends that the proposed side and rear extensions are acceptable in terms of their size, design and siting, and are consistent with the locality, and sympathetic to the design and proportions of the existing dwelling such that no demonstrable detrimental impact would arise in respect of the character and appearance of the area. The Council accept that the proposal would not harm the residential amenities currently enjoyed by the occupiers of the neighbouring properties.
- 6.2 The presumption in favour of development set out in the National Planning Policy Framework (NPPF) advises at paragraph 130 that planning decisions should ensure developments are visually attractive, sympathetic to local character and optimise the potential of the site.
- 6.3 The Appellant has developed a close relationship with the local community and adjacent neighbours and wishes to firmly remain a part of that. The proposed extension of the family home would ensure that it continues to adapt to accommodate the needs of the family both now and into the future. Notably saved Policy DC1 confirms that the desirability of enabling people to adapt their homes in appropriate ways to meet changing household needs is a material consideration in the assessment of residential extensions.
- 6.4 It has been evidenced in this statement that the proposed development would not result in the harm considered by the Local Authority and that it does conform in all regards to the Councils Development Plan policies and guidance within the National Planning Policy Framework.
- 6.5 It is respectfully requested that the appeal is allowed, and permission granted for the proposed development subject to appropriate conditions.